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A PRACTICAL GUIDE
TO
PRECIS-WRITING

by

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FUNDAMENTAL RULES EXPLAINED, C. S. R. EXPLAINED,
PUBLIC SERVICE COMMISSION PAPERS WITH ANSWERS,
ALL EXAMINATIONS' GENERAL KNOWLEDGE QUESTIONS
ANSWERED, DRAFTING AND OFFICIAL CORRESPONDENCE
ETC.

with a foreword by

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PREFACE

Precis-Writing is not a mere subject for competitive examinations but has also its cultural, mental and educational value. It affords training in clear thinking, penetration, systematic construction and explicit expression. This book is an attempt in that direction. It is not only designed to meet the requirements of candidates but also to give instructions and practice in the course.

A large number of books has been written in England on the subject but they do not suit an Indian student. Few books have been written in India and even they consist of set of exercises which students are told to work, while no practical help is offered. Such books give rules but not any practical demonstration. Whatever may be the demerits of the present volume, an endeavour has been made to make the book eminently practical. The copious material provided for practice includes exercises of very varied character and difficulty and has been taken from the examinations held in India in which Precis-Writing is becoming more and more important. In addition to explaining the theory of the subject, examples with commentaries have been included for the guidance of the student and it is hoped that they will be of great practical utility.

Part I of the book deals with exercises of correspondence nature whereas Part II contains examples of precis-writing in passages. It is recommended that this book should be read with the author's "Drafting and Official Correspondence."

Thanks are due to Principal Sohrab R. Davar, Barrister at-Law, M. L. A. for his 'Foreword'.

10-5-50

A. N. Khosla.

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FOREWORD

The Practical Guide to Precis Writing by Mr. A.N. Khosla, B.A., is undoubtedly a book worthy of being used by students of this important subject. Precis-Writing is an art which calls forth so many requirements, both natural and acquired, that the student of the subject cannot do better than place himself in the hands of an expert tutor and use a text book which embraces in its proper sequence the first principles of the subject. This little booklet, in my opinion, is very carefully planned and should give to one ambitious to acquire a working knowledge of the subject an excellent starting point. The author gives in some detail the first principles of the subject, explains clearly the objective to be achieved and then demonstrates by practical examples. The commentaries on each exercise form a special feature of this very useful little work and the model precis of exercises are sure to make the subject easy and clear. In these days when Precis Writing forms the subject of almost all Civil Services and Commercial examinations a book so carefully planned and written in such a careful and clear manner should receive all encouragement and support from Institutions teaching same in our country. It should however not be forgotten that the student who aspires to excel in his art should have acquired a tolerably good grasp on the English language, the rest can be acquired by perseverance and careful training. Given the first most necessary knowledge of the language, a study and practice of the graded exercises in Parts I and II of the book will do the rest.

Davar's College of Commerce,

Bombay, 20th April, 1935.

Sohrab R. Davar.

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A Practical Guide to Precis-Writing

INTRODUCTORY.

CHAPTER I.

1. Definition of 'Precis'. 'Precis' comes from a French word meaning "precise"; and may be defined as an abridgement or an extract containing all the essential points of any verbal, written or spoken matter arranged in a logical order to save the time of the reader.

2. Its necessity. A student reads a novel, and on being asked to relate its story, tells a concise but continuous narrative. We see a picture or a play and wish to tell our friends about it, we describe the play in an outline stressing its main points, and omit minor details. In a big commercial concern where the transactions are numerous and the correspondence excessive, the Directors may require to know the state of affairs of the business concern without wasting much of their time. A clerk who can give all the salient points in a nutshell will be held in esteem and paid a decent salary for his valuable acquirement.

Again, every now and then reports of Conferences or Committees, addresses or lectures are received in newspaper offices, and they have to be placed before the public for general information. A concrete summary or a straightforward statement of the bare facts is published and the unnecessary matter is stripped of. Similarly in the Government Secretariat Offices a series of correspondence is entered into with various other Government offices on subjects of vital importance which cannot be finally decided without obtaining the considered opinion of different Heads of Departments. The sectional Superintendent makes a precis of such correspondence and places it before the Secretary to the Government in that Department for orders.

It will be observed that in speaking as well as in writing there is a habitual tendency to use more words

than are absolutely necessary in order to be more emphatic, ornamental, interesting or reasonable. Oration is highly rhetoric with little substantial in them, and so are the writings. They can well be substituted by short sentences and clauses, which can again be condensed into phrases and lastly replaced by fewer words without effecting any loss in meanings. Precis-writing thus is a subject of every day use and its importance has accordingly increased fairly well with the developments in the industrial, scientific, or commercial lines in modern times, and the subject has been fixed as a course in all the public or official examinations.

3. Qualities of a good Precis-writer. A jeweller is supplied with rubies of different colour and variety, the gold and all the requisite material for an ornament, his tact lies in their exquisite setting to meet the approbation of the customer. A precis-writer is given scattered ideas and is asked to arrange them in a lucid and comprehensive style by playing with the jugglery of words. But before he becomes a good precis-writer, he must have :—

- (i) Quick power of judgment ;
- (ii) A stock of good vocabulary ;
- (iii) Power to write concisely ;
- (iv) Flow of language ; and
- (v) Perseverance in practice.

(i) *Power of understanding and judgment.* He should be able to understand the original passage clearly and master its contents. Dim impressions create blurred images and unfocussed thoughts a clumsy writing. In making a precis, therefore, one has not to omit a phrase here or a clause there but what is required is a miniature drawing of a model in which none of the objects is missing. The matter may be a presidential address, a public lecture, a report of a Committee or a Commission, the proceedings of a Conference or a Council, or a series of correspondence, private as well as official, relating to

political, social, economic, religious, industrial, scientific or commercial subjects. Whatever it is, a main theme always forms the nucleus. Its leading ideas follow a particular train of thought to arouse some desired feelings or to prove an enunciated principle. The reader should try to grasp the outstanding features and to collect all of them. A careful selection of the chief points without unnecessary trimmings is an elementary stage for a beginner and in order to succeed he must be thoroughly equipped with the power of quick judgement. Facts should be separated from important details and set aside for proper adjustment.

(ii) *Vocabulary.* It is essential that a precis-writer should hold a large stock of vocabulary so that appropriate words may be filled in suitable places to avoid monotony or repetition. Intelligible words of which the meanings are absolutely sure should be used without altering the spirit of the writing, and thus the sentences cut down to the fewest possible words. *It is to be noted that the precis should be neither more impressive nor less effective than the original.*

(iii) *Concise Writing.* In saying 'Brevity is the soul of wit' Hamlet stated a universal truth. A concise subject with pithy phrases, crisp and finished sentences and simple words is more weighty than a long-drawn statement. The facts that have been separated as instructed above should be re-shaped with the help of good vocabulary into an extract formed of words, each full of meanings. Unnecessary words should not be interpolated and each one of them judiciously employed. All illustrations or comparisons used to make the matter more pleasing should be omitted. Subsidiary details, irrelevant connections or repeated thoughts should be avoided.

(iv) *Flow of language.* Just as a child is an exact replica of its parents with all the parts of the body proportionate to natural production, a precis is required to be a complete piece in itself in which the flow of language, harmony and continuity of style is kept up. Precis should not be prepared by taking the original

passage clause by clause, phrase by phrase, or sentence by sentence and by condensing them and joining together. In this way the harmony of the whole is likely to be lost. *Precis* should not be like the mechanical fitting of a machine but an intellectual translation, an entirely new version that has translated the wordings of the original. A reader who has not seen the original may not leave an impression that a part has been separated from the whole or disconnected ideas have been cemented together.

(v) *Perseverence and hard work.* Last but not the least important is perseverance in practice. It entails much labour, time and sacrifice. 'Practice makes a man perfect' goes the saying and naturally defects are likely to wipe away after a good deal of work has been put in.

4. Study of General Knowledge.

Passages set for *precis*-writing cannot always be simple. Some are extremely obscure whereas others have intricate arguments and entangled thoughts. Some may contain technicalities and statistical figures, while others may include philosophical reasoning. Whatever the subject may be—philosophical, scientific, political or poetical—the *precis*-writer must be able to grasp the point at issue and follow the links in arguments. 'It is not merely practice in making a summary that is required in dealing with more difficult subject matter. It is essential to be at home with the kind of material; and unless it is so, the student is likely to make some blunder'. Clear understanding requires wider knowledge and therefore practice should be accompanied by a wider study and reading.

CHAPTER II

Instructions given by examining bodies.

5. In examinations conducted in the United Kingdom or India instructions are usually printed at the top of the paper on *precis*-writing. Some of them are quoted herein to guide the student in his practical work.

A

(Examination for admission to the Military Academy, Sandhurst, I. C. S. and Indian Police Force).

Make a precis of the printed matter herewith.

"A precis of a document or series of documents is intended to enable a person to grasp on reading it the main points and the general effect of the matter summarized.

Your precis should take the form of a consecutive narrative without marginal references; it should be lucid, succinct, and omit no important point; the language of the original may sometimes be suitable for your purpose, but it is more likely to be unsuitable. The length of the precis should be between 200 and 300 words.

Attention should be paid to neatness, handwriting, spelling, grammar and style."

B

(Oxford and Cambridge Schools Examinations).

"You are desired to write out *in your own words* a precis of the following letter.

The object of the precis (which should proceed *not paragraph by paragraph*, but in the form of a narrative *without marginal references*) is that any one who had not time to read the original correspondence might, by reading the precis, be put in possession of all the leading features of what passed. The merits of such a precis (which should not exceed two pages in length) are (a) to include all that is important in correspondence (b) to present this in a consecutive and readable shape, expressed as distinctly as possible, and as briefly as is compatible with distinctness.

Attention should be paid to Spelling, Handwriting, Grammar, and Style.

C

(The Royal Society of Arts).

"The object of the memorandum or precis, which should be drawn up, not letter, by letter, but in the form of a narrative is to convey to the reader a complete history, in a narrative form, of the circumstances and events to which the correspondence relates in such a manner as to put him readily in possession of all the essential facts. The merits of such a precis are —(a) that it should contain all that is important in the correspondence and nothing that is unimportant; (b) that it should be framed in a readable shape, expressed as distinctly as possible, and as briefly as is compatible with completeness and distinctness. Clear and neat handwriting and clearness and conciseness of expression are essential."

D

(London Chamber of Commerce Examinations).

NOTE :—The object of the precis is to enable any one reading it to be put into possession in the smallest space of time, of the essential points of the subject to which the documents refer. The characteristics of a good precis accordingly are (a) the inclusion of all that is important and the exclusion of all that is unimportant in the correspondence; (b) the expression of this in a consecutive story as clearly as possible, and as briefly as is compatible with distinctness.

E

"The object of the precis is that any one might by reading it master all the leading features of the Correspondence. The precis should be between 300 and 400 words in length, and should contain all that is (and nothing that is not) important in the correspondence presented in the form of a consecutive narrative (without marginal references) as briefly as is consistent with perfect distinctness."

CHAPTER III.

Method of Approach.

6. The procedure of approaching the subject varies according to the personal qualifications, educational and mental of an individual; but in order to facilitate the beginner the following general method (which should be dispensed with after gaining practice) may be employed :—

- (i) *Glance through the exercise* and discover the subject. More often it is given as a heading of the Minutes of Conferences, Reports of newspapers, Proceedings of meetings, letters of correspondence, addresses, lectures and poems set as subjects of exercise, and it is seldom that one has to look for it.
- (ii) After the subject has been selected, *read the exercise rapidly* or if it is a lengthy one, read some of the documents, letters or paragraphs at random to adapt yourself to it.
- (iii) As soon as you begin feeling at home with the subject-matter and 'get an idea of its general drift,' *read it again* more carefully. This time keep a vigilant eye on all that is important and relevant to what you consider to be the main theme. While doing so :—
 - (a) *Underline or make* all that seems worthy of being taken in the precis.
 - (b) *Make short notes* in the margin or on a separate piece of paper. These will save frequent reference at the time of writing the precis, but care should be taken that these notes are correct.
 - (c) Draw out a tabular chart in case the precis is too long and the points are repeated.

In some exercises of this book, the important passages have been marked and underlined for the convenience of

the reader, whereas a tabular statement has been attached to one exercise to show the application of instruction (iii) (c) above.

- (iv) *Read the passage through a third time, and arrange the points already marked in a logical order. Important matter will have thus less chance of being left out.*
- (v) *Make a rough draft, a brief statement of the main ideas, without any attempt at condensation.*
- (vi) *Rewrite the precis. Omit any unnecessary details that might have crept in. Polish the language and supply the relevant links.*
- (vii) *Read through again and correct errors in spelling and punctuation. Make the whole read as unity in a good literary form.*
- (viii) *Supply a title that may 'serve as a criterion by which to judge the perspective of the precis and the relevance to the main theme of all the ideas that make up the original'.*

CHAPTER IV.

General Principles.

7. In his essay entitled 'Of studies' Bacon said, 'some books are to be tasted, others to be swallowed and some few to be chewed and digested, that is more books are to be read in parts; others to be read but not curiously; and some few to be read wholly and with diligent attention'. The exercises in precis fall under the category of books which should be read with diligent attention, chewed and digested before they are subjected to precis-writing.

After having grasped the essentials of the matter, the following principles should be borne in mind to produce a good precis.

1. **Selection.** The method of selection consists in disentangling the salient points from the details and can only be successfully carried out when the matter has been understood clearly. If the meanings are clear in your mind, the precis will be clearer than the original. Illustrations, comparisons and examples included in the original to make it interesting should not unnecessarily be included in a precis.

2. **Perspective.** In order to get the true perspective of a precis the principal idea should be placed in an outstanding position with its subordinate details arranged and adjusted like light and shade in a landscape view. Prominent ideas should be marked out while others arranged in accordance with their relative position in the original.

3. **Order and smoothness.** The ideas should not only have a true perspective but also a logical order. They must follow a certain train of thought with a definite result, and their sequence and links in reasoning should be maintained without producing confusion.

4. **Brevity.** A precis should be as brief as is compatible with other general principles of precis-writing, but conciseness does not mean the omission of those prepositions or parts of speech which may make it an incorrect composition.

5. **Clearness.** Obscurity in expression shows lack in power of understanding and writing. Facts should be accurately and sensibly put in pure and simple language with proper usage of words and idioms.

6. **Unity.** The whole precis should read like an organic whole. To a reader who has not seen the original, it should appear a separate entity. 'The narrative must be continuous, it must read like a story, the connecting links between the one event and the other must be obvious.' Careful attention should be paid to proportion. 'A frequent error made by students is to give too much space to the first part of the narrative so that the

conclusion has to be huddled up, in order to keep within the prescribed number of words.'

8. Kinds of precis.

(a) Index form.

(b) Continuous precis.

The former kind of precis is used in diarising letters, the arrangement of documents following that of the original, whereas entries are made in a tabular form containing columns for the serial number, the number of the letter, the date and the subject matter.

The second form is the form of writing a continuous narrative and is used generally in precis-writing.

9. Difference between a Summary and a precis.

Wilson says, "A precis adheres more closely to the original than a summary, is fuller, and though succinct has some feeling for style. A summary is balder or more naked, a skeleton standing half-way between precis and notes, which are baldest of all. The ratio of the original to precis is 3 to 1, to summary between 20 to 1 and 10 to 1, to notes perhaps 50 to 1."

10. Precis of correspondence.

A precis of correspondence should be written in continuous form and a title or heading given to it where it is essential. The events should be related in the order of occurrence. As exercises in correspondence are lengthy, sometimes portions are deleted *in extenso* and letters are scored out on account of repetition. Minor details, reasons, or any other superfluous matter is also ignored, mention being made only of the final decision. The length varies with the length of the correspondence.

CHAPTER V.

Rules.

11. The foregoing introduction may now be summa-

rized into the following rules :—

I. *Heading.* Give the exercise a *title* expressive of its theme. There are different ways of doing so, the various styles having been used in the first exercises. In cases where the first paragraph of the precis is self-explanatory, the use of heading is superfluous.

II. *Beginning.* The first sentence or paragraph should state the main subject of the precis, which as has already been mentioned is likely to be traced in the first letter.

The words that are generally used in beginning a precis are given below :—

Absolving from	Dilating on
Admitting	Disapproving of
Advising	Discharging from
Agreeing	Discriminating between
Allocating to	Dispensing with
Appealing to, against, from	Diverting from
Appropriating to	Eliminating from
Ascertaining	Endeavouring
Assembling	Exchanging
Assimilating with	Hoping for
Blaming	Inclining to
Censuring	Instigating to
Challenging	Limiting
Collecting	Necessitating
Commencing	Objecting to
Compensating for, with	Praising
Conceding to	Relating to
Conferring with	Replying to
Connecting with	Supporting
Contending against, with	Tending to

Deducing from	Repeating
Determining	Answering
Differentiating between	

III. Mark the dates of the various documents or letters and arrange them in a *chronological order*, so that argument may develop from argument and point follow another point in the form of a systematized reasoning. There may be exercises in which chronological arrangement may fail to produce a logical order, in such cases importance should be attached to the correct sequence of ideas.

IV. In exercises of correspondence nature the opening and concluding paragraphs are purely formal, the main discussion being generally given in the body of the letter. Such useless matter should be scored out at a glance.

V. Sometimes two or more subjects form the leading ideas. They may be marked as (i), (ii) and so on, and discussed in separate paragraphs.

VI. Delete all unimportant matter such as acknowledgements, minor details, picturesque descriptions, repetitions, similes and examples.

VII. Make the precis in the *past tense* and the *third person*.

VIII. Let your precis be a concise, continuous, simple and direct narrative.

IX. Use *your own words*. Lydall says 'many students make the mistake of choosing at random a few sentences from the original, joining them together by means of conjunctions, or conjuncting adverbs, and handling in the resulting patch work as a precis, this is a great mistake'. Precis papers are set to examine the candidate's power of expression and this can only be judged if the composition is original.

Only in exercises of technical nature, the use of words of the original can be permitted.

X. Do not abbreviate words or dates.

XI. Let your precis contain *definite* information.

XII. Keep uniformity of names and avoid the use of personal names unless it is absolutely necessary.

XIII. Do not name the medium of correspondence except in cases of Minutes of Evidences or proceedings of conferences.

XIV. Do not include any commentary notes or personal comments.

XV. Do not take anything for granted.

XVI. *Composition.*

(a) Use good phrasing.

(b) Divide the precise into paragraphs.

(c) Punctuate and spell correctly.

(d) Write in a legible hand.

(e) Use reported speech *i.e.*, indirect narration.

(i) Put all tenses in the past, *shall* becomes *should*,
will becomes *would*, *may* becomes *might*.

(ii) Use *third* person.

(iii) Translate questions and exclamations into language.

XVII. Make notes or mark important passages.

XVIII. The length of the precis will depend on the subject matter, the style in which it is written, the instructions of the examiners and the practice of the student.

XIX. *Revise* after completion, rectify errors and omissions.

PART I

S. A. S., 1940

Prepare—(1) The precis referred to in paragraph 1 of Serial No. IX below, answer books being used breadthwise if the candidate should desire to adopt a tabular form of precis in summarising the views of the five officers consulted on the questions raised in paragraph 6 of the Serial No. 1.

(2) The draft referred to in Serial No. XII.

Serial No. I—Letter No. —, dated 3rd March 1935, from the Government Of India, to all Provincial Governments.

I am directed to address the Provincial Government on the subject of confidential reports on officers. The question now raised is that of adopting a uniform practice in regard to (a) the preparation of confidential reports, (b) the use to which they can properly be put, and (c) the communication of unfavourable reports to the officers concerned.

2. In certain memorials recently addressed to the Secretary of State by officers to whom special additional pensions had not been granted, the argument was used that no intimation had been given to them of any adverse report on their service and that they had not been considered to be other than satisfactory. The Secretary of State has called attention to the principles laid down in the Resolution of the Government of India, dated the 14th September 1915, and has enquired whether any modification is desirable in them or in their application; and has also suggested the desirability of reviewing the

whole system of confidential reports in view of the changes which have occurred since that Resolution was promulgated.

3. As regards the first two points mentioned in paragraph 1 above, the comments of the Secretary of State are that experience of the working of the Central Public Service Commission has shown that much reliance is placed on the confidential reports of officers as a guide to the disposal of cases affecting them, that still greater use of confidential reports will no doubt be made in the case of Provincial Service Officers with growing experience of the working by Provincial Commissions; and that this use of confidential reports to determine the disposal of cases suggests that much greater care is required in drawing them up than was required when they might be regarded as little more than a personal expression of opinion by a superior officer, the weight to be attached to which naturally varied with the reputation of the officer for soundness of judgement.

4. As regards the third point mentioned in paragraph 1, the Secretary of State has had occasion from time to time to emphasize the importance of observing strictly the general procedure laid down in the Resolution of 1915. He is inclined to think that the time has come to reconsider the orders contained in it. He doubts whether the reason given in the resolution of 1915 for withholding reports in regard to defects which are considered irremediable is really sound. If an officer is worth retaining in the service, the communication to him even of such defects ought not to "embitter or discourage the recipient". On the contrary it ought to stimulate him to do his best to overcome his defects; and if they really are irremediable and the officer is unable to render satisfactory service, undoubtedly the proper course would be to retire him from the service. In short, where an officer has exhibited defects; even where these defects may be such as to make it difficult or even impossible for him to remedy them, the Secretary of State is inclined

to think that, on balance, it would be fairer to the officer and to Government that the officer should be made aware of the criticisms passed on his work.

5. Practice at present doubtless differs to some extent in different Provinces, and assistance in arriving at a suitable common form of procedure in the future might, it is suggested, be obtained by pooling provincial experience. Further although the Secretary of State is concerned primarily only with his own Services, except in so far as confidential reports are utilised to determine the suitability of officers of the Provincial Services, for appointment to posts in the Secretary of State's Services, any agreed results of the examination may be of value both to the Central and Provincial Governments in dealing with their own Services.

6. In respect of the preparation of confidential reports, the Government of India would be glad if the forms of report used for officers of the Secretary of State's Services could be forwarded to them with the opinion of the Provincial Government regarding their adequacy. In particular, the Government of India would value the opinion of the Provincial Government on the following points :—

- (a) Should the form of the report provide only, or mainly, for general remarks, or should it provide a number of specific headings for comments concerning character and conduct, energy, tact, executive and magisterial ability etc., with a column for general remarks? If the Provincial Government favour the adoption of specific headings, what headings do they suggest?
- (b) Should the form of the report require reporting officers to give explicitly by way of example instances of good or bad work or conduct upon which the report is based?

- (c) Should the form of the report require the reporting officer explicitly to state the period of time for which the officer in question has served under his control and the degree of personal experience which justifies the opinion recorded?
- (d) Should executive orders require, officers upon transfer to leave for their successors a full report for incorporation in the report to be forwarded to Government at the time prescribed?
- (e) Should the reporting officers be required to give in the periodical report his opinion regarding the suitability of the officer in question for promotion or eligibility for an extra additional pension?
- (f) Should the form of the report require superior officers in their comments similarly to give instances of personal experience or the extent of their personal experience to justify their comments?
- (g) Should the form of the report require superior officers in their comments to give any reason that there may be for discounting the opinion of the reporting officer?
- (h) What should be the period covered for the report, *i.e.*, should they be prepared annually or at shorter or longer intervals?
- (i) For what periods of service should an officer be liable to be reported on?
- (j) Is it desirable to include in personal files any special reports made in response to inquiries regarding an officer's fitness for promotion or in cases in which an officer's conduct is called in question?

- (k) Do the Rules of Business prescribe that reports on Secretary of States' Officers, or at least those reports which are adverse, require the final orders of the Governor?

Provision for all or some of these points is doubtless already contained in the forms, executive orders and Rules of Business of the Provincial Government. Other suggestions may occur to the Provincial Government and the Government of India would be grateful for any observations which appear to be pertinent.

7. As regards the use to which confidential reports can be put, the Government of India are inclined to think that present practice affords a reliable guide. For the making of non-disciplinary decisions, for example in regulating promotions and appointments, and in respect of the admissibility of extra additional pensions, the full use of confidential reports is clearly justified. As regards disciplinary cases, it is for consideration whether the confidential file of an officer should be made available to an inquiring officer or tribunal, whether constituted departmentally or under the Public Servants' Conduct Inquiries Act, 1850, in cases whether the general character of the officer charged is not in issue, either as the subject of inquiry or to rebut a plea of good character. In respect of decisions made by Government whether on the report of an inquiring officer or tribunal, or in cases in which a formal inquiry is not necessitated by rule 55 of the Civil Services (Classification, Control and Appeal) Rules, it seems clearly desirable that an officer's general character as evidenced by his confidential file should be brought under consideration. There then remains the question whether, when disciplinary cases are referred to the Public Service Commission, the Commission should see the confidential file of the officer concerned, even in cases in which the officer's general character is not in issue. It appears to the Government of India that the Commission in tendering advice should have available all the papers upon which a decision of Government may have to be based, and that the

Commission as a reviewing and advising authority should, if it requires, see the confidential roll of the officer concerned. The Government of India would be glad to have the comments of the Provincial Government on the points raised above and on any others that occur to them under this head.

8. Finally, it is necessary to consider the procedure for communicating unfavourable reports to the officer concerned. The arguments for and against communication are fully summarised in paragraph 2 of the Resolution of 1915. The main question is whether there should be relaxation of the precept that only such defects should be pointed out as can be remedied "since it would serve no useful purpose to communicate such criticisms as lack of ability or intelligence". It might be held that the instructions contained in that Resolution are generally sound if they are carried out, and that all that is necessary is to ensure that they are carried out with regularity and without undue hesitancy. In respect of instructions (b) and (c) contained in paragraph 3 of the Resolution, some modification might be considered desirable, if not in the text of the instructions themselves at least by way of assistance in the interpretation of them. It is possible that the interpretation of irremediable defects adopted may be unduly wide. Few defects are irremediable in the sense that they cannot be offset by increased application and energy. Further, even though a defect may be properly considered irremediable, it may be desirable, not perhaps to inform the officer whenever a report is received of such defect, but at least to inform him on suitable occasions that he has failed to render satisfaction in certain respects. In other words, the injunction contained in instruction (b), that "in no case should an officer be kept in total ignorance for any length of time that his superiors after sufficient experience of his work are dissatisfied with him" should be followed even if his defects are beyond remedy. Here again the Government of India would be grateful for the views of the Provincial Government on the points above-mentioned and on any others that occur to the Provincial Government.

9. The matter is one on which the Provincial Government will desire to give considered views under no stress of urgency; but the Government of India would be obliged if an answer could be sent by the 1st of June next.

Serial No. II.—EXTRACT PARAGRAPH 3 OF THE GOVERNMENT OF INDIA, -DEPARTMENT, - RESOLUTION, DATED 14TH SEPTEMBER 1915.

3. In view of these considerations, His Excellency in Council, with the approval of the Secretary of State, is pleased to direct that—

- (a) When a report is built upon the individual opinion as noted of different departmental superiors in gradation, it is only the opinion as accepted by the highest authority which need be considered from the point of view of communication ;
- (b) as a general rule in no case should an officer be kept in total ignorance for any length of time that his superiors after sufficient experience of his work are dissatisfied with him ; in cases where a warning might eradicate or help to eradicate a particular fault, the advantages of prompt communication are obvious ; where criticism is to be withheld the final authority to consider the report should record instructions, with reasons, according to the nature of the defect discussed, as to the period for which communication is to be kept back ;
- (c) only those defects need be pointed out which can be remedied, since it would serve no useful purpose to communicate such criticisms as lack of ability or intelligence ;
- (d) the reporting officer should specifically state whether the defects reported have been

already brought in any other connection to the notice of the officer concerned ;

- (e) remarks in cases in which the local Government or head of a department or other officer suspends judgment should not be communicated ;
- (f) great attention should be paid to the manner and method of communication in order to ensure that the advice given and the warning or censure administered, whether orally or in writing, shall, having regard to the temperament of the officer concerned, be most beneficial to him.

Serial No. III—ENDORSEMENT No. 2263, DATED 23RD MARCH 1935, FROM THE GOVERNMENT OF X,—DEPARTMENT.

Copy of the Government of India,—Department letter Dated 3rd March 1935 forwarded, with compliments, to the undermentioned officers for favour of remarks :—

- (1) The Commissioner, X Division.
- (2) The Inspector General of Police.
- (3) The Director of Agriculture.
- (4) The Director of Land Records.
- (5) The Director of Public Instruction.

Serial No. IV.—LETTER FROM THE DIRECTOR OF INSTRUCTION NO. S.-24, DATED 24TH APRIL 1935.

In reply to Government endorsement, 'Y' Department, No. 2263, dated 25th March 1935, forwarding for my remarks a copy of a letter from the Government of India—Department, No.—of 3rd March 1935, I have the honour to say that the main question raised by the Government of India is whether it is desirable to adopt a uniform practice in regard to :—

- (a) the preparation of confidential reports,
- (b) the use to which they can properly be put, and

- (c) the communication of unfavourable reports to the officers concerned.

2. In regard to (a) above, the Government of India wish to be supplied with the forms of report used for officers of the Secretary of State's Services with the opinion of the Provincial Government regarding their adequacy. The annual confidential report form for Gazetted Officers of this Department was approved in Government Resolution, Educational Department, No. Confidential, P-88 of 16th October 1930. I enclose a copy of the form for ready reference.

3. In regard to the question of the adequacy of this form it would appear from the experience of the past few years that the form has met the normal requirements of the Department. In view, however, of the various considerations set forth in the communication from the Government of India in question, there appears to be a case for revising the form.

4. In regard to the revision of the form, the Government of India have raised the question whether the form of the report should provide only or mainly, for—

- (a) general remarks or
- (b) a number of specific headings for comments concerning character and conduct, energy, tact, executive and magisterial ability, etc., with a column for general remarks.

5. The form for Gazetted officers in this Department provides for general remarks only. It seem to me that it is based on a sound principle. It enables a general picture to be recorded of an officer's merits or demerits and of his general suitability for the work he is in charge of. On the other hand, report with certain specified headings is apt to become stereotyped and lifeless. There is also a danger that the reporting officer may feel that it is necessary to offer remarks under each specified heading, and this may place the officer reported on in an unfair position. On the other hand, it must also be ad-

mitted that a general report provides ground, in some cases, for vague generalisations and is probably a dangerous weapon in the hands of reporting officers whose judgments may not be sound. My own opinion, therefore, is that while the form of the report should contain a column for general remarks; it should also provide for specific headings, but that the number of the latter should be reduced to a minimum. Reporting Officers should also be informed that it is not necessary to offer remarks under each heading, unless remarks can be made usefully and appropriately under each such heading.

6. The Government of India also wish to know what specific headings should be included in the form of the report. In this Department a special confidential report form has been devised for Assistant Masters. I enclose a copy of this form for ready reference. It seems to me that this form is much too detailed and is not suitable for general adoption. It contains, however, certain specific heading such as—

- (a) Private character,
- (b) Interest, willingness, loyalty, etc.
- (c) General culture,
- (d) Personal appearance, dress, manners,

which seem to be suitable for inclusion in the form of the report under consideration.

7. I have also examined the forms of reports in respect of Gazetted Officers in use in some of the other Departments. In the Public Works Department the form contains the following two specific headings among others—

- (a) Length of service under the Reporting Officer.
- (b) Length of service in the Department.

The latter heading already exists in the form of report in use in the Educational Department; but as regards the former I am of opinion that it should be provided for in the form which Government may devise hereafter for all Departments. I am of opinion that in

order to determine the extent to which the judgment of the reporting officer is sound, it is desirable to know the period for which the officer has had an opportunity of watching the work of his subordinate.

8. In this connection attention is invited to Rule 32 of the Audit Code volume I, in which a special form has been provided for confidential reports on officers of the Indian Audit and Accounts Service. It will be seen from volume II, page 192 of the Audit Code that this special form contains several specific headings. The following, among others, are the headings in this form :—

- (a) Conduct.
- (b) Attendance, whether regular and punctual.
- (c) Trustworthiness, zeal, business habits, general demeanour, etc.
- (d)any special work done beyond his routine work which is worthy of recognition...
- (e) Fitness to cross the efficiency bar.
- (f) Fitness for further advancement.

Some of these headings appear to me to deserve inclusion in a common form, should Government decide to prescribe one. In particular, I think that the following specific heading should find a place in such a form—

Any special work done during the period under report which is worthy of record.

9. In regard to fitness to cross the efficiency bar and for further advancement, I think that remarks under these headings should only be filled in if the officer under report will be due in the not* distant future to pass an efficiency bar or to be considered for promotion.

10. The Government of India also wish to know whether the form of the report should require reporting officers to give explicitly, by way of example, instances of good or bad work or conduct upon which the report is based. I am of opinion that every officer of

* A period of about 3 years preceding the date on which the officer is due for promotion, etc., may be laid down.

Government is expected to perform good work and that his conduct also should be invariably good. I do not think, therefore, that any special mention need be made in a report in regard to good work or good conduct. In a case, however, where an officer's work or conduct has been remarkably and exceptionally good the reporting officer may include remarks in regard to it in his confidential report.

11. In regard to instances of bad work or conduct it seems to me that if reporting officers were required to quote specific cases or instance in this respect, there is a danger that there might not be a free and candid expression of opinion in all cases. On the other hand, the requirement to quote specific instances of bad work or conduct will place a restriction on officers who are not too punctilious in giving adverse reports to their subordinates. On the whole, I think that in cases in which a report is distinctly adverse, the reporting officer should be required to give facts on which his opinion is based. There are, however, bound to be a few border-line cases where it would be impossible or very difficult to give specific instances of bad work or conduct. For example, there may be no specific instances of bad work or conduct in a particular case, but the general demeanour and attitude of the officer may be such as to affect his efficiency as a whole, and in such a case I think that it would be wrong to insist on specific instances being quoted. My opinion, therefore, is that while specific instances may be required to be quoted where a report is distinctly adverse a certain amount of discretion may be allowed to the reporting officer and that each case should be dealt with according to its merits.

12. In regard to (c) in paragraph 6 of the letter of the Government of India under consideration, I have already dealt above with the point raised therein. As regards the degree of personal experience on which the opinion recorded is based, it seems to me that a confidential report is not of much use unless the reporting officer has come into personal contact, for a reasonable time

with his subordinate, I am of opinion that provision should be made in the form of the report to enable the reporting officer to specify the degree of personal experience on which his report is based.

13. In regard to (d) in paragraph 5 of the Government of India's letter, the position is that officers upon transfer usually have a general talk with their successors in regard to their subordinates and the general working of the office or institution under them. In these circumstances, and as the previous reports are available, I do not think that officers under transfer should be required to leave a full report for their successors for incorporation in the annual confidential reports. In a case, however, where the officer under transfer has been in charge of the office or institution for the major portion of the years, it is desirable that he should leave his remarks on his subordinates, so that his successor may incorporate them in his annual confidential report.

14. In regard to (e) in paragraph 6 of the Government of India's letter, I have already dealt with the question. I am of opinion that there should be specific heading in the form of the report to enable remarks to be recorded about the suitability of the officer for promotion, for passage over an efficiency bar, and also for eligibility for an extra additional pension. It should, however, be laid down that these columns should only be filled in when the officer is likely to be due, say, within about three years for promotion, etc.

15. Point (f) has already been discussed above.

16. As regards the question whether the form of the report should require superior officers, in their comments, to give any reason that there may be for discounting the opinion of the reporting officer, cases sometimes occur in this department in which a certain amount of caution is at times necessary in accepting the opinion of the reporting officer. For example, a Principal of a College who does not hold qualifications in Science has invariably to report on Professors under him. When

such a Principal enters into details relating to a scientific question, it is obvious that his opinion must be accepted with caution. But I do not think that any special provision need be made for this purpose in the form of the report. This is a matter which, I think, should be left to the discretion of the superior officer who has to pass the report on to Government.

17. As regards (h) in paragraph 6 of the Government of India's letter, I think that the confidential reports should continue to be prepared and submitted annually as at present.

18. The Government of India also wish to know for what periods of service an officer should be liable to be reported upon. It is not clear what exactly is meant by this. If it is the intention that an officer should be specially reported upon only up to a certain stage say, until he has completed 20 to 25 years' service, then I think that the present system, under which an officer is liable to be reported upon upto the end of his career, excepting a few cases, is the best and most suitable. It is true that after a certain age officers should not be subject to a large measure of check, but on the whole I think that in the interests of good administration, it is desirable to continue the present system. When an officer reaches the top, i. e., if an officer reaches the position of the Head of the Department then apparently he automatically ceases to be reported upon.

19. As regard (j) in paragraph 6 of the Government of India's letter, I think that it is desirable to include in personal files any special reports made in response to enquiries regarding the officer's fitness for promotion or in cases in which an officer's conduct is called in question.

20. I agree with the Government of India that the Public Service Commission should have access to all the papers relating to an officer whose conduct has been the subject of an enquiry or report and that the Commission should be free to see the confidential roll of the officer concerned, if it so desire.

21. In regard to the procedure for communicating unfavourable reports to the officer concerned, the Government of India have discussed the question fully in their communication under consideration. My own opinion in the matter is that, as laid down by the Government of India in 1915, in no case should an officer be kept, in total ignorance for any length of time that his superiors after sufficient experience of his work are dissatisfied with him. If the defects in an officer are irremediable or difficult to eradicate, the method of communicating the criticism on the officer's work and conduct is of great importance. My usual practice in all cases is that whenever a gazetted officer receives a report of an adverse character I write a personal confidential D. O. letter to him. I also pay special attention to the manner of expressing the criticism, so that, while it may not hurt the feelings of the officer concerned and thus affect his future efficiency, the officer concerned may be encouraged to remedy the defects and to set matters right in future. All the officers whom I have consulted agree that unfavourable reports should be communicated confidentially to the officers reported upon, and I support their view.

Serial No. V.—LETTER FROM THE INSPECTOR GENERAL OF POLICE, NO. C-160, DATED 15TH APRIL 1935.

With reference to Government endorsement No. 2263, dated 23rd March 1935, I have the honour to state that before arriving at any conclusions I consulted a number of officers of various grades of the Imperial Service and also some Deputy Superintendents of Police. It may be said, therefore that my replies to the queries of Government which are given below are indicative of the general feeling in the Imperial and the upper ranks of the Provincial Service. Where I disagree markedly from the general opinion this fact has been noted in my replies.

2. I will first deal seriatim with the various points raised in paragraph 6 of the letter of the Government of India,—Department No.....of the 3rd March 1935.

(a) *Regarding the use of specific headings.*—I am of

opinion that such headings would tend to make reports too stereotyped. General remarks are more suitable, but as a guide to reporting officers it might be useful to print on the form a list of points which should ordinarily be borne in mind by a reporting officer. Specific remarks on each point should not be made compulsory.

(b) *Explicit examples of good or bad work.*—Such examples, whether of good or bad work, should be mentioned when outstanding instances exist. It would serve no useful purpose if trivial incidents, especially such as were open to varying interpretations or which gave no real indication of the ability of the officer reported on were to be recorded.

(c) *Regarding the degree of personal experience of the reporting officer.*—It is desirable that the period of time during which the officer has served under the reporting officer should be stated. The degree of experience need only be stated when relevant to any remarks which have been made.

(d) *Reports from officers on transfer for incorporation in the report to be sent to Government.*—Such reports should invariably be left when the officer reported on has served for any considerable period, say four months, under the officer who has been transferred. Otherwise such reports should be optional unless something outstanding has occurred.

(e) *Remarks regarding suitability for promotion.*—It is the general opinion that such opinion should be given, but personally I have some doubts as to the value of remarks of this kind. Ordinarily I think it would be sufficient if reporting officers were required to express an opinion only when it was adverse and could be substantiated. In any case opinion should be given only when the officer reported on is nearing the stage of promotion. It would be waste of time to express an opinion on a confidential report every time. Opinion regarding fitness for extra pension should be given only by the head of the Service.

(f) *Instances of personal experience by senior officers*—These should not be given unless of an outstanding nature. The same principle as in (b) above should be observed.

(g) *Reasons for discounting the opinion of reporting officers*—These should invariably be given.

(h) *Period covered by the report*—One year would be suitable.

(i) *Period of service for which an officer should be reported on*—The meaning of this query is not very clear. If by period of service is meant the number of months in the year which the officer reported on should have served under the reporting officer in order to make a report necessary, I would suggest four months with the proviso that anything outstanding should be reported even if the period were less than four months. The remarks under (a) above may be seen in this connection.

(j) *Inclusion in personal files of special Reports regarding suitability of an officer for promotion, etc.*—It is desirable that all information about an officer should as far as possible be available in one place and the personal file is obviously the most suitable place.

(k) *Whether final orders of the Governor are required by the Rules of Business*—No remarks from me seem called for.

3. As regards the use to which confidential reports can be put the position is as stated in paragraph 7 of the Government of India's letter. The only point on which difference of opinion, as elicited by my enquiries, exists is as to whether confidential rolls should be available to the Public Service Commission in disciplinary cases when the officer's general character is not in issue. The general consensus of opinion is that in such cases confidential rolls should not be made available on the ground that there would be a danger of prejudice being created. It is thought that it would be sufficient for the confidential roll to be taken into consideration by Government when the report of the enquiring officer or tribunal

had been received. I see much force in these arguments when the enquiry is in respect of some specific incident. But when the Public Service Commission considers that an officer's confidential file is required, I think it should bring the fact, stating the reason to the notice of Government and Government should make the file available if they consider that this is essential in order to enable the Commission to come to a decision. Confidential files should not, however, be made available in disciplinary cases as a matter of course.

4. Coming to the question of the method of communication to officers of adverse remarks, I would draw attention to the fact that the present system is undoubtedly very unpopular not only with Imperial but also, and probably to a greater extent, with Provincial Service Officers. It is felt that even remediable defects are not in practice regularly communicated and that an officer's future career depends too much on what are considered vague impressions formed by his superiors. In particular dissatisfaction is felt by officers of comparatively blameless record, who have never exhibited any defects such as, under the present rules, should be communicated to them but who are nevertheless regarded as lacking in general ability and are in consequence passed over for promotion. It is argued and not without reason that in the absolute sense very few defects are really incurable and that most officers would like to know what their position is and at any rate to have a chance of removing their faults. It may, I think, be said, therefore, with confidence that opinion in the Services would strongly favour a modification of the present system which would prescribe the communication of all adverse remarks. With this view I am on the whole in agreement, though not without some hesitation, for I cannot help thinking that to devise any system which would satisfy everyone would be impossible. At the same time I am of opinion that there are real defects in the present system and that, in view of its general unpopularity which tends to increase and become more vocal under the changed constitutional conditions, the time has come to make an advance in the direction of

relaxing restrictions on the communication of adverse remarks.

Nevertheless, the advantages of the present system, which are well set out in the Government of India Resolution of 1915, should not be overlooked and if any change of policy is decided on, care should be taken not to allow the pendulum to swing too far to the opposite side. For instance, communication of remarks of a general nature disclosing defects which are not remediable and which may not be fully substantiated should not necessarily be made on the first occasion but might with advantage be held up, perhaps for several years, by which time their repetition or omission would probably have made the position clearer.

Again it will be necessary to take steps to control the controversy and argument which are likely to result from the increase which may be expected in the number of remarks communicated.

In conclusion, I would remark that there are some advocates of the Army system according to which an officer is required to peruse and initial his confidential report periodically. Such a system is not, in my opinion suitable for adoption by the police, mainly because it would be likely to lead to ill-feeling not only between brother officers but also between Police officers and District Magistrates. It is preferable that the final criticism only should be communicated by Government or other authority and that officers should not be permitted to see everything that is written in their reports.

Serial No. VI—LETTER FROM THE DIRECTOR OF AGRICULTURE NO. P. 12, DATED 17TH APRIL 1935

I have the honour to acknowledge receipt of Government endorsement No. 2263, dated 23rd March 1935, and to submit my remarks as under :—

(A) With regard to the points raised seriatim in

paragraph 6 of the Government of India's letter under reference, I am of the opinion that—

- (a) The report should provide for *three* specific headings only, viz., (a) work, (b) conduct, (c) general remarks. There does not appear to be any advantage in additional headings as the *three* given above would enable a complete estimate of the officer to be submitted.
- (b) No, I do not consider that this is necessary or desirable.
- (c) Yes, this should certainly be done as it will enable more correct weight to be given to the reporting officers' opinions.
- (d) No, I consider each reporting officer's report on his subordinates should contain his own views only although he might take cognizance of reports received from the immediate superior of the officer upon whom he is reporting. Where this is done, it should be definitely stated in the report.
- (e) Yes, I think that such an opinion would be valuable.
- (f) No, I consider that this is necessary.
- (g) In many cases, such action is desirable as reporting officers at times are liable to permit their reports to be based by personal prejudices.
- (h) Annually.
- (i) He should be reported on throughout his whole service in gazetted rank acting or permanent.
- (j) Yes, a personal file should include all such information.
- (k) I am unable to answer this question.

(B) With regard to the use to which confidential reports can be put, I consider that an officer's confidential

reports should invariably be produced before any inquiring officer or tribunal even in cases where the officer's general character is not in issue. It might be desirable that such reports should not be placed before the inquiring officer or tribunal in cases where the general character of the officer charged is not in issue until they have adjudicated upon the terms of reference made to them and should be utilised only in deciding what action be recommended to the Government concerned with regard to the officer under inquiry.

(C) With reference to the procedure of communicating unfavourable reports to the officers concerned, I am of the opinion that adverse reports or reports on defects in an officer's work or character, which are of a *positive* nature, should be at once communicated to the officer concerned, *i. e.*, reports in which the officer's work or conduct is stated to be unsatisfactory or bad. Reports of a negative character, *e. g.*, indicating that the officer has not come up to expectation in work or that he has not fulfilled earlier promise if received over a three year consecutive period, should be the subject of a confidential communication to the officer concerned. I do not think any distinction can be made between remediable and irreparable defects.

Serial No. VII.—LETTER FROM THE DIRECTOR OF LAND RECORDS NO. E. 09, DATED 19TH APRIL 1935.

With reference to Government endorsement No. 2263, dated 23rd March 1935, I have the honour to state that, the confidential reports should be annual and call for reports under specific headings, *e. g.*, character and conduct, energy and capacity to take the initiative, tact and executive ability, magisterial or other special aptitude and a remarks column for noting any general observations or special work done which does not come under the above heads. The reporting officer should be asked to give specific instances in support of his remarks under each head and also to state the extent of his personal experience and contact with the officer. The superior officer should also be asked to give his own observations,

with specific instances with remarks on the soundness of judgment or otherwise of the reporting officer.

2. As regards communication of the remarks to the officer concerned, I am of opinion that the communication of only unfavourable remarks to the officer concerned is likely to discourage him and damp his ardour. Personal prejudices play a very important part in official relationship and it would be definitely discouraging for an officer to learn that he is unfavourably reported by his superior and the communication of the remarks may even cause ill-feeling and further estrangement. I would suggest that the bad remarks against an officer should not be communicated to him unless the remarks are repeated at least for two years. This will give the reporting officer a chance to study his man without any prejudice that may be created by the communication of the remarks and will at the same time give no cause for ill-feeling as ordinarily an officer is not reported on continuously by the same superior official for more than three years. If specific instances are to be given for good or bad remarks, the occasions for bad remarks will be fewer and more definite and if the bad remark is repeated twice the remarks may be communicated to the officer and the officer's explanation on these forwarded through his superiors with remarks if any, recorded in his confidential sheet. This will give both sides of the picture and hurried and prejudiced remarks will be very rare. It is also fairer to the officer to have his side of the picture represented and duly recorded for what it is worth

3. The confidential file of an officer should be made available to the Public Service Commission in all cases where the officer's general conduct and character or ability are the subject matter of the enquiry as these contain observations by independent officers at a time when the matter was not an issue in any enquiry and will be good evidence.

Serial No. VIII—LETTER NO. 211, DATED 20TH APRIL 1935, FROM THE COMMISSIONER. X DIVISION.

With reference to Government endorsement No. 2263, dated 23rd March 1935, I have the honour to state as under.

2. I agree that the advent of Public Service Commissions has made the confidential record of an officer an extremely important document. In the past very great weight has been attached to the personal knowledge which superior officers had regarding those working under them. This information has been used on all occasions to supplement and expand the written record. It is used like expert evidence, namely the opinion of one who knows. The Public Service Commission on the other hand is guided solely (or nearly so) by the year to year record placed before them. I am therefore entirely in agreement with the view of the Government of India as expressed in paragraph 3 of their letter.

It must be admitted that confidential reports have hitherto been of a very general nature amounting to little more than an expression of opinion regarding the officer's efficiency. It is rare to find a considered report giving reasons for the conclusions arrived at.

3. Report of this vague character cannot be of much use to a Public Service Commission. It will be only in the case of the exceptionally good and brilliant officer or of the exceptionally bad and incompetent officer that the Public Service Commission will be able to arrive at a sound and proper conclusion. It will be quite impossible for them to make a selection where selection has to be made from the average rank and file whose record is neither particularly good nor particularly bad. I am therefore of opinion that it is advisable to issue some further instructions regarding the preparation of the confidential reports and that whenever possible there should be some material in the shape of reference to work done during the period of report and comment regarding the success or failure of the officer in the particular duties which he had to perform.

4. As regards the 3rd point mentioned in paragraph 1 of the Government of India letter, I feel doubt as to

whether it is desirable to communicate to an officer the matters which are beyond his power to remedy. If for instance, it is clearly established that an officer is lacking in brains or that he is lacking in self-confidence, it seems unlikely that the communication of such an opinion will enable the officer in question to remedy the defects. I am also of opinion that if it is known that the remarks passed by the superior officer are to be communicated to the person concerned, there is likely to be a check upon the free expression of opinion. Even though the only remark or opinion to be communicated is that of the highest authority to which the report is addressed, the local officer will feel that the officer reported on will attribute the adverse remarks to him and will therefore be inclined to give rather more favourable views than he would do if he felt that his remarks would be treated as confidential. I think that the advantage of full communication is less than that of obtaining a fuller and more concrete form of report than that which is used at present.

I would therefore adhere to the present practice and communicate only adverse remarks in respect of matters in which it is within the power of the officer concerned to effect improvement. I would suggest that at the most if other adverse remarks are to be communicated it would be advisable to do so either verbally or quite informally unless there is a justification for a written censure whether mild or severe. It is quite clear that no person is deserving of blame for defects which he cannot remedy.

5. As regards the various points raised in paragraph 6 of the letter of the Government of India, my opinion is as follows :—

- (a) The present form (R. M. 29 e) appears to me to be sufficiently expressive and I would not add any more specific headings. All that is required is that the reporting officers should be informed of the importance of these reports

and directed to make them much more precise than they are at present.

- (b) It is certainly desirable that examples of good and bad work or character should be embodied in the report and reporting officers should be instructed to do so.
- (c) This is at present apparent from the report itself.
- (d) Officers on transfer should leave material for their successors to incorporate in the annual report. This in fact is already done in most cases, and the attention of all reporting officers should be called to its importance.
- (e) The reporting officer may, where there is scope for promotion or question of eligibility for extra pension, give his specific views upon these points.
- (f) Superior officers should give an indication of the amount of personal knowledge which enables them to make comments on the reporting officers' remarks.
- (g) Superior officers may, and frequently do discount the opinion of the reporting officer but it is difficult to lay down any precise instructions or reasons for doing so. This must be left to the discretion of the superior officers.
- (h) The present period for these reports is one year and this, I think, is the most suitable period. It should certainly not be longer than one year.
- (i) The report should relate to the period prescribed, which is at present one year, and as I have suggested above, this period may be retained.
- (j) Special reports should be and are, presumably, even now included in the personal file of an officer.

6. I am not aware whether in the case of higher officers the annual reports are consolidated or retained separately for each year. In the case of executive subordinates the system followed in this Division is that each officer has a sheet prepared in duplicate giving the particulars of his age, caste, place of birth, &c. One copy (the original) is kept in the District where he serves, and the duplicate is retained by the Commissioner. Once a year the District officer sends all the sheets with his remarks, and these are entered upon the duplicate sheet kept by the Commissioner. After making the necessary entry the originals are returned. In this way, the whole record of each individual can be perused conveniently, and when the claims of several persons have to be considered for the purpose of selection for a particular post it must facilitate matters very much to have the complete record in a continuous sequence.

7. As regards the question whether confidential records should be inspected when a departmental enquiry regarding the alleged misconduct of an officer is in progress, I am of opinion that the confidential files should not be used or inspected by the authority conducting the enquiry until it has arrived at its findings on the issues involved. It would be right and proper that for the purpose of arriving at a decision regarding the punishment to be awarded the confidential record of the officer in question should be made available but for no purpose other than this.

Serial No. IX—NOTE BY THE UNDER SECRETARY,
GENERAL DEPARTMENT.

1. Please see the Government of India letter in Serial No. I above and our endorsement in Serial No. III. All the officers consulted have now sent in their replies. I place below a useful precis of these replies which has been prepared by office. I submit the following remarks on the points raised by the Government of India.

2. On the whole, it seems to me that the principles laid down in the Government of India Resolution No. ()

dated 14th September 1915, have not proved inadequate. The instructions there given if properly carried out, are still sound. There may be a difference of opinion as to what defects are really "irremediable", but a decision on this point ultimately rests with Government or Heads of Departments who must see that adverse remarks are communicated in suitable cases.

3. I now take the different points in paragraph 6 of the Government of India letter :—

- (a) We may send to the Government of India copies of the forms at present in use for reporting upon gazetted officers in different services. Specific headings seem desirable, else reports are liable to become discursive and casual and lead to real want of consideration on the part of reporting officers.
- (b) To avoid influence of bias or prejudice, it is preferable that special cases of praise or condemnation should be illustrated wherever possible.
- (c) This is necessary.
- (d) This should be done, provided it is based on sufficient experience.
- (e) Not in the standard form, unless it be to provide for cases in which the officer reported upon is shortly due for promotion. Such information can always be called for at the appropriate time.
- (f) Yes.
- (g) Yes.
- (h) Our present practice of annual reports should continue.
- (i) Until the officer becomes head of his department.
- (j) Yes.
- (k) No specific provision in our Rules of Business, but other instructions issued in order to

enable His Excellency to discharge his special responsibilities ensure this.

4. As regards paragraph 7 of the Government of India letter, I think full use of the reports should be made in all classes of cases.

Serial No. X—NOTE BY THE SECRETARY, GENERAL DEPARTMENT.

1. It is true that the instructions in the Government of India Resolution of 1915 are adequate, but considering the extended use of confidential reports by Provincial Governments and the Public Service Commission, additional instructions are desirable so that much greater care may now be given to this work.

2. When adverse remarks have to be communicated, this should, when possible, be done by word of mouth, so that due allowance may be made for the temperament of the officer concerned. As required by the instructions of 1915 no officer should be kept in total ignorance for any length of time that his superior officers are dissatisfied with his work.

3. As regards forms of reports, different departments will, of course need, different forms according to their individual requirements. We must take up with our departments the question of drawing up new standard forms and when they are ready copies may be sent to the Government of India for information. A process of trial and error will of course be needed before final forms can be evolved.

4. I do not agree that in disciplinary cases the whole confidential record of an officer should, as a matter of course, be made available to an enquiring authority or tribunal when the general character of the officer is not in issue. Material relating to a specific point or charge may be supplied when necessary. After a decision is reached that an officer is guilty of specific charges, there would be no objection to making the whole record avail-

able in order to assist the tribunal in assessing the punishment to be awarded.

Serial No. XI—NOTE BY THE SECRETARY TO HIS EXCELLENCY THE GOVERNOR.

The whole question of confidential reports has been reviewed by His Excellency and the Council of Ministers. They agree that a reply on the basis of the two foregoing notes may be sent to the Government of India.

Serial No. XII—NOTE BY THE UNDER SECRETARY, GENERAL DEPARTMENT.

I place below a draft reply to the Government of India. I have given explanations in support of our views making use wherever possible of the points urged by the officers we have consulted.

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- A. Make a precis of the correspondence given below.
- B. Draft a reply from the Secretary to Government of X, Local Self-Government Department, to the Secretary to the Government of India, Labour Department, briefly indicating the views of employers' and workers' associations on the lines given in *Serial No. XV* and embodying the views in the Extract from Notes.

Serial No. I—GOVERNMENT OF INDIA, DEPARTMENT OF LABOUR LETTER NO. W. 5481, DATED THE 10TH JANUARY 1940, TO THE CHIEF SECRETARY TO THE GOVERNMENT OF X.

Provincial Governments are aware that sometime ago the question of sickness insurance for workmen was examined in great detail by the Central Government in consultation with the Provincial Government and, for the reasons summarised in the letter No. 5869, dated the 5th June 1938, it was decided to take no further action on that

question. Considering the importance of sickness insurance for the welfare of the industrial labourer, the Central Government decided however to place it for discussion before the first Conference of Labour Ministers which was held in January last. Copies of the proceedings of this Conference have already been forwarded to Provincial Governments. I am directed to invite attention to the discussion on the subject in the proceedings of the Conference. The Conference realised that the problem was not so much the lack of medical facilities but one of enabling the worker to maintain himself and his dependents during periods when he is unable to work and earn a living because of sickness. The Conference came to the conclusion that for this purpose sickness benefit funds would be appropriate and that further action for setting up such funds may be considered after it has been ascertained how far employees and workmen are willing to contribute compulsorily to such funds. Contribution from the employees who would be benefited by such schemes and from the employers who have a responsibility in the matter of welfare of their workmen are a necessary prerequisite to the formulation of any scheme of sickness benefit. In what proportion the two parties should contribute and what the quantum of contribution should be are matters of detail which can be gone into once the parties concerned accept the principle of compulsory contribution. It is clear that any further progress in the matter of sickness insurance can be made only if that principle is generally accepted. The Government of India would therefore be glad if the Provincial Government will kindly consult the important associations of employers and workers in the province on the question whether they are willing to accept the principle of compulsory contribution to sickness insurance funds and to forward their replies with the comments of the Provincial Government by the 1st May 1940.

Serial No. II—ENDORSEMENT DATED 15TH FEBRUARY 1940, FORWARDING COPY OF GOVERNMENT OF INDIA DEPARTMENT OF LABOUR, LETTER

NO. W. 5481, DATED THE 10TH JANUARY 1940, TO
 THE COMMISSIONER OF LABOUR X
 THE CHIEF INSPECTOR OF FACTORIES X, AND REQUESTING THEM TO SUBMIT VIEWS AFTER CONSULTING
 IMPORTANT ASSOCIATION OF EMPLOYERS AND WORKERS IN THE PROVINCE.

Serial No. III—LETTER NO. SR-52, DATED THE 5TH MARCH 1940, FROM THE SECRETARY, CHAMBER OF COMMERCE TO THE COMMISSIONER OF LABOUR, X.

In reply to your letter No. 138, dated 20th February 1940, I am directed to inform you that my Committee have given very careful consideration to the principle of compulsory contribution to Sickness Insurance schemes, and they have come to the conclusion, for reasons which are explained more fully hereunder, that the introduction of such schemes by legislation would at the present time be premature. They are also very strongly of opinion that consideration of such schemes should be deferred until the end of the War since workmen have very little margin between their pay and the cost of living, and many employers also may not be in a position to contribute.

My Committee are informed that many employers already, and voluntarily from their own resources have gone a long way towards meeting the conditions which compulsory Sickness Insurance is designed to cover. Many firms provide free medical attention for their employees and/or allow sick leave with pay on an appropriate scale, and my Committee have directed me to enquire if Government have ascertained whether conditions generally are not satisfactory in such respects and, if they have not so ascertained this information, whether an investigation on these lines should not be carried out as a preliminary measure.

There are so many practical difficulties peculiar to industrial conditions in India that my Committee wish to urge very strongly that Government should not

embark upon a costly and complicated measure such as Sickness Insurance without very thorough prior examination of all the factors involved. There is still a very wide variation in the ordinary terms and conditions of service granted to their employees by different Industries; some are excellent, others still stand in need of considerable improvement. It is a fair assumption that absence through sickness in badly managed industries will be greater than in those which are managed in a more enlightened manner, in which case under a compulsory Sickness Insurance scheme the latter will, most inequitably, be called upon to assist in financing the former.

Again, much of the labour employed in India is still on a casual basis, the workmen being taken on for a few days, weeks or months at a time. Furthermore, since most of the labour in towns comes in from the country, absenteeism is a very common occurrence in India for long periods on end, when the workman for one reason or another returns to his fields.

These common features of Indian industrial life all present formidable obstacles in the way of the smooth working of any comprehensive scheme such as that under reference and my Committee ask me therefore to reiterate their opinion that the proposal is premature, in any case without a good deal more prior investigation, and particularly unsuitable for adoption under War conditions.

My Committee do not understand that the Government of X are contemplating legislation of this kind except in co-ordination with other Provinces, but they have asked me to express their opinion that, with a view to achieving maximum uniformity throughout India, all labour legislation of major importance should receive its sanction in the first place from the Government of India.

Serial No IV.—LETTER NO. 9834, DATED THE 6TH MARCH 1940 FROM THE CHAIRMAN, PORT TRUST, TO CHIEF INSPECTOR OF FACTORIES.

In continuation of this office letter No. 3280 of the 1st March 1940, I have the honour to inform you that the Port Trust Board consider that consideration of the above question should be deferred until the end of the war.

I may add for your information that the Board has already done a good deal for its employees, their families and dependants, in the matter of free medical attention, by maintaining their own dispensaries and a maternity home and by contributing liberally to the various medical institutions in the city.

A large number of workers enjoy leave benefits with pay.

Serial No. V—LETTER DATED 27TH FEBRUARY 1940, FROM THE TAXI MOTOR DRIVERS' UNION TO THE COMMISSIONER OF LABOUR, X.

With reference to your letter of the 20th instant bearing No. 138 of 1940, I have the honour to state that after consultation with the members and the Managing Committee of this Union, regarding the question of introduction of Sickness Benefit Fund to enable the workmen to maintain themselves and their families, this Union strongly supports the principle of compulsory contribution to Sickness Insurance Funds. In this connection I may point out that the question of daily rated workmen and monthly salaried workmen should also be discussed in the conference of the Labour Ministers which might be of advantage both to employers and employees.

Serial No. VI—COPY OF LETTER DATED 23RD FEBRUARY 1940, FROM THE TRAMWAY WORKERS' UNION, TO THE COMMISSIONER OF LABOUR X.

With reference to your letter No. 138, dated 20th current permit me to point out that the above question was considered at the meeting of our Managing Committee and it was resolved that, while welcoming the move for affording relief to the workers during period of sickness, the Government may be informed that

owing to low wages prevailing in India it would not be possible for workers to subscribe to the insurance fund.

Let me in this connection point out that it is not necessary to follow the European method in every detail as circumstances vary and that we must adapt ourselves to the conditions prevailing in the country. In Europe the level of wages is very high and as such the workers are able to pay their share. There the State also pays its share; in fact, in Britain, the unemployment fund has to be greatly supplemented by loans from the State in addition to the contribution fixed by law. In fact, the State in Britain spends hundred millions on social services per annum which is totally absent here.

In this scheme which the Government proposes they omit their contribution altogether, and if the State here cannot or does not intend to make their contribution, there is greater reason not to insist on workmen's contribution. The development in India has already taken place on different lines as even in the matter of the Maternity Benefit, though this is a contributory scheme in Britain, in India the relief has been afforded by the Employers only. Similarly, it is our view that, during the period of sickness, the employers should under law be compelled to give some leave with pay to their workmen. Under the Trade Union Agreements with the Employers, many employers grant leave with pay during period of sickness. There is also the casual leave and the privilege leave and often all the three leaves are combined which varies from 15 days to one month in the case of industrial workers. The question does not arise in the case of workers employed by public bodies as their conditions are infinitely better.

It would therefore be a kindness on your part if you could communicate our views to the Government of India with recommendation that they may be good enough to pass legislation on the lines suggested by us.

It would be all the more necessary to do so, as good and humane employers have already recognized the principle and they should not be put at a disadvantage by the bad ones going scotfree.

Serial No. VII—LETTER No. H. W., 98. DATED THE 17TH MARCH 1940, FROM THE ELECTRIC SUPPLY COMPANY LABOUR UNION, TO THE COMMISSIONER OF LABOUR, X.

With reference to your letter No. 138 of 1940, dated 20th February 1940, on the above subject, I have the honour to state that the subject was discussed by the members of the Electric Supply Company Labour Union and consensus of opinion was in favour of this scheme as this will be found beneficial by all workers. Condition of workers during illness is pitiable, because, apart from additional expenses on account of medicines, change of diet, etc., the worker has to be out of work for this period and consequently without wages. It goes beyond doubt that almost all the workers live from hand to mouth. Cessation of work during the period of illness coupled with increased expenses on account of medicines, etc., reduces the economic condition of a worker from bad to worse. This leads the worker's family to starvation because the longer the period of illness, the more acute becomes the financial condition of the family.

While appreciating the principle of sickness insurance for workers, it cannot be but stated here that on account of low salary or wages, it will prove extremely hard for workers to contribute their quota to sickness insurance fund. It will not be out of place to mention here that the minimum wage of a coolie in any factory here does not exceed annas eight per day. In some industrial establishments it is even less. Out of this wage how much the worker can be expected to contribute to sickness insurance fund cannot be imagined.

The workers do realise the benefit that will accrue to them out of the proposed measure suggested by the Government and the considered view of the members of

this Union is that the workers getting less than annas twelve per day, although entitled to all the benefits of sickness insurance, be exempted from payment of their contribution to this fund while others may be made to contribute not more than $6\frac{1}{2}$ per cent. of their actual monthly earnings provided the employers are made to contribute to this fund to the extent of four times the amount contributed by the workers.

All workers, while appreciating the principle of sickness insurance, regret they will not be able to contribute to such fund on account of low wages and poor economic conditions, except those who are in receipt of wages not less than annas twelve per day. Contributions due from those workers who are getting less than annas twelve per day should be made by the employers themselves in addition to their own quota.

The workers also desire me to convey to the Government through your goodself the necessity of setting up such funds at a very early date.

Serial No VIII.—LETTER DATED 18TH MARCH 1940,
FROM A. B. OIL CO., TO THE CHIEF INSPECTOR OF
FACTORIES, X.

We refer to your Memo. No. F. 1./2684 of February 24th, addressed to our Installation Manager and inviting his remarks on a *communiqué* from the Government of India, Department of Labour, on the subject of Sickness Insurance.

As far as this Company is concerned we are already providing, entirely at our own cost, most of the benefits which it is proposed that labour, partly at their cost, should enjoy, and we do not consider that enlightened employers or their employees should be called upon to assist in financing the extension of similar benefits to Industries where sickness, for a variety of reasons may be much more common.

Furthermore, we do not consider the time ripe for the application in this country of the principle of compulsory

contribution to Sickness Insurance Funds, and in view of the satisfactory arrangements that we have already made as regards our own labour staff throughout India, we suggest Government should first ascertain to what extent workers in other industries are already enjoying similar benefits.

If these enquiries, having been made, reveal that the position is generally unsatisfactory, we consider that further deliberations should relate to the introduction of legislation making it incumbent on employers to provide for a certain amount of unavoidable sickness each year among their employees to be with pay, subject to certain essential safeguards such as a minimum period of employment with the employer concerned before the privilege begins to operate, the restriction of its application to cases where the absence through sickness takes place in the town where the man is employed, and the right of the employer to satisfy himself by competent medical opinion that the sickness is genuine.

We understand that the Chamber of Commerce have addressed Government on this subject and have provided you with a copy of their letter. We are in general agreement with the views expressed in that letter.

Serial No. IX.—LETTER FROM THE C. D. CEMENT CO., LTD., TO THE CHIEF INSPECTOR OF FACTORIES, DATED THE 18TH MARCH 1940

With reference to your endorsement No. F. I./2596 of 1940, dated 24th ultimo, on the Government of India, Labour Department letter No. W.-5481, dated 10th January last, inviting our opinion regarding sickness insurance of workmen, we have the honour to state that after a thoughtful consideration we have come to the conclusion that it will be better and in the interest of the workmen if they are insured with some insurance company against payment of certain premium as in case of Workmen's Compensation Act.

*Re : Compulsory contribution on the part of Employers and Employees.—*In this connection we write to

inform you that we are allowing 25 days leave with pay to our workmen in a year in which is included 10 day's Sick leave. In order to give practical shape to this scheme which is under contemplation, we are of the opinion that the said sick leave can be abolished and the wage thereof can be contributed by us towards the annual premium. At the same time, the workmen fr in their own part should also contribute, say, one day's wages in a month or at least 10 days' wages in a year.

However, we await with interest the final decision of the Government in this respect, and if the scheme matures on the lines suggested by us, which is of course beneficial to the workmen, we can get our workers insured.

Serial No. X. - LETTER NO. 235/40, DATED THE 10TH APRIL 1940, FROM THE INDIAN MERCHANTS' ASSOCIATION, TO THE COMMISSONER OF LABOUR, X.

With reference to your letter No. 138, dated 20th February 1940, I am directed to communicate the views of my Committee as under :—

My Committee have no objection to the principle underlying Sickness Insurance. The question should, however, be examined from a practical point of view.

At the outset my Committee wish to state that the present abnormal conditions and times are hardly opportune for introducing the scheme. Such schemes can be proceeded with only when the conditions are normal and times generally prosperous. The question may, therefore, be taken up in hand on the termination of the war as soon as normal conditions are restored.

The essentials of the scheme of Sickness Insurance, which is introduced in most of the industrial countries of the world are that contributions are made both by the employers and the employees, and in some countries by the State as well. It is, therefore, necessary that the worker should willingly and voluntarily join the

scheme as contribution to the scheme would mean some burden on the slender income of the workman. Further, as the industries in India are not in prosperous condition as in other highly industrialised countries State should also contribute towards the scheme in India as is the practice even in some of the highly industrialised countries.

If the introduction of the scheme in India is feasible in the near future, it should be made applicable in the first instance only to prosperous and large scale industries such as Jute, Iron and Steel and large plantations such as Tea, Jute etc.

Labour in India is not educated or sufficiently enlightened so as to voluntarily agree to be a party to the scheme. Some preliminary educative propaganda would be necessary before such a scheme is introduced in India.

It is hoped it will be realised that such legislation or schemes are essentially peace measures, and cannot be thought of in the abnormal times like the present.

*Serial No. XI.—LETTER DATED 10TH APRIL 1940,
FROM THE S. V. OIL CO., TO THE CHIEF
INSPECTOR OF FACTORIES, X.*

With reference to your F. I. /2685/1940 of 24th February 1940, with which you forwarded a copy of Government of India, Department of Labour, letter W. - 5481 of 10th January 1940, we desire to comment as follows :—

It is presumably recognized that many well organized industries do provide medical facilities for their employees. This is certainly true of the oil industry in so far as this Province is concerned. At B where the terminal installations of all the three major oil companies are situated a dispensary is jointly maintained by the oil companies, which is presided over by a fully qualified compounder and visited daily by a European physician, to which all employees in the installations have access. Medicines are dispensed here free of charge to the employees.

It is noted that at the conference of the Labour Ministers of the various Provincial Governments, the conclusion was reached that, to enable the worker to maintain himself and his dependents during periods when he is unable to work because of sickness, sickness benefits funds would be appropriate and that it was felt that contributions to this fund should be made both by employers and employees. In the oil industry, a period of annual sick leave with full pay is granted to the worker. This leave is granted without contribution on the part of the worker. In the case of this company, we grant 17 days per annum on full pay as privilege leave for all workers with one year's continuous service and, in addition, we grant sick leave of 7 days on full pay and an additional 14 days on half pay for workers with service up to 10 years and an additional 7 days on half pay for workers with service of over 10 years. Any privilege leave not used in a given year is available for further sick leave.

It is, therefore, felt that we are already providing entirely at our own cost most, if not all, of the benefits that is proposed that labour should enjoy, partly at their cost, and we do not consider that we or our employees should be called upon to assist in financing the extension of similar benefits in industries where such privileges are not enjoyed and where sickness for various reasons may be more common than in our industry.

It is also our conviction that the time for the application in India of the principle of compulsory contribution to sickness insurance is not yet ripe. It is our suggestion that before any legislation is framed for this purpose, Government should first ascertain to what extent workers in other industries are enjoying the benefits which we have outlined above as being applicable to the oil industry. If it is found that employers are not reasonable in this regard, we consider that Government's further attention should be devoted to the introduction of legislation which will make it incumbent on

employers to provide a reasonable amount of sick leave with pay.

Serial No. XII.—LETTER DATED 18TH APRIL 1940, FROM THE L. ELECTRIC SUPPLY CO., LTD., TO THE CHIEF INSPECTOR OF FACTORIES.

Reference your endorsement No. F. I./2704, dated 24th February 1940.

The company according to its general policy do not employ staff on lower wages than prevalent in the market and in most of the cases the wages paid are even higher. Moreover the regulations of the company concerning employees provide grant of long leave with pay in cases of sickness. Therefore further contribution to sickness insurance will prove burdensome to the company's funds. We will, of course, have no objection if the employees agree to contribute themselves to sickness insurance.

Serial No. XIII.—COPY OF LETTER DATED 19TH MARCH 1940 FROM THE TRANSPORT AND CARRIERS' ASSOCIATION, TO THE COMMISSIONERS OF LABOUR, X.

With reference to your letter No. 138, dated 20th February, I have the honour to state that while my Committee approve of the principle of compulsory contribution both by the employees and employers towards the above fund, they feel that the practical application of such a scheme should in the first stage, be confined to large scale industries. My Committee feel that in so far as small trades are concerned, where labour is not employed with any degree of permanence, such a scheme would not be workable.

Serial No. XIV.—LETTER NO. 6890, DATED THE 25TH APRIL 1940, FROM THE COMMISSIONER OF LABOUR, X TO THE SECRETARY TO GOVERNMENT, LOCAL SELF-GOVERNMENT DEPARTMENT.

With reference to Government, Local Self-Government Department (Misc Br.), endorsement No. 503-M/44 dated

the 15th February 1940, on the subject noted above, I have the honour to state that 36 organizations of workers and employers were circularised for the purpose of obtaining their opinion on the problem of sickness insurance. Copies (in duplicate) of replies received are enclosed herewith, one set for transmission to the Government of India. The replies have been carefully examined and I am of the opinion that compulsory deductions from the wages of workers for the purpose of setting up sickness insurance cannot be solved in India at the present moment.

Serial No. XV—LETTER NO. 7432 DATED THE 29TH APRIL 1940, FROM THE CHIEF INSPECTOR OF FACTORIES, TO THE SECRETARY TO THE GOVERNMENT OF X, LOCAL SELF-GOVERNMENT DEPARTMENT.

With reference to the Local Self-Government Department (Miscellaneous) endorsement No. 503-M./44, dated 15th February 1940, on the subject noted above, I have the honour to offer the following remarks:—

2. As requested, several important associations of employers and workers in the Province were communicated with and their replies are herewith enclosed in original.

3. From a scrutiny of these replies the impression is gathered that, while employers on the whole are not against the proposal for sickness insurance, the majority are of the opinion that consideration of the scheme should be deferred to a more opportune time, i.e., until the end of war.

4. From my personal enquiries, I find that though the workers, in view of their low wages and the present high cost of living, are opposed to any scheme involving compulsory contribution, they express the opinion that contributions for a scheme of this sort should come from sources better able to bear the burden, viz., the employers and Government. On the other hand all agree, particularly the small salaried worker, that a scheme of this kind would be very welcome and beneficial to them and

many are of the opinion that, provided the contributions are small, the reluctance to contribute to the scheme in the initial stages will be overcome in due course when it is realised that substantial benefits are forthcoming.

5. Further it has been ascertained that quite a number of the well established industries in the Province allow their workers annual holidays with pay ranging from a period of 15 days to 1 month, subject to the fulfilment of certain conditions, which leave I understand is generally utilized in conjunction with sick leave. There is also one firm which has a sort of a voluntary sickness benefit scheme in force, wherein the workers contribute amounts ranging from 1 anna to annas 4 per month in proportion to their pay, and the employers in turn contribute a lump sum of Rs. 20 monthly, the scheme appears to be popular and has done a lot of good, but in spite of the benefits resulting from it, I am told that all the workers do not contribute.

6. In conclusion I would suggest that in view of the political situation, consideration of the scheme be held over until the end of the War.

EXTRACT FROM NOTES

Our conclusion, then, is (i) all questions of social legislation such as sickness insurance, holidays with pay and other questions of a like nature should be handled together so that the interests concerned may be in a position to assess the cumulative effect of the burdens which are likely to be imposed on them and (ii) the further consideration of the question should be deferred until the end of the War.

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- Prepare—*(1) *The precis referred to in the Under Secretary's note dated 10th February 1929. (See Extract from Notes), and*
- (2) *The draft referred to the Chief Secretary's note dated 15th February 1929. (See Extract from notes)*

*Serial No. I.—*LETTER NO. 532-T. (2), DATED SIMLA, THE 5TH JULY 1928, FROM THE JOINT SECRETARY TO THE GOVERNMENT OF INDIA, DEPARTMENT OF COMMERCE, TO THE SECRETARY TO THE GOVERNMENT OF 'A,' LOCAL SELF-GOVERNMENT DEPARTMENT.

SUBJECT:—Prohibition of the import and manufacture of Vanaspati ghee.

1. I am directed to forward a copy of a letter from the Government of Punjab, dated the 15th December 1927, recommending that the import of Vanaspati ghee and similar vegetable products into, or their manufacture within, British India should be prohibited unless they are coloured in such a way that they cannot be mixed with or passed off as natural ghee without immediate detection. This recommendation is based on the ground that the products in question are being sold on a large scale, mixed or unmixed with natural ghee, as natural ghee, and that the enforcement of the provisions of the Punjab Adulteration of Food Act would not act as a preventive.

2. The Government of India appreciate the importance of effective measures being taken to ensure that the article sold under the description of ghee is really pure ghee, but they apprehend that the local Government's proposals may have far reaching implications. The colouring, if it is done with an aesthetically offensive colour, might discourage the trade in these vegetable products which though deficient in vitamins are believed to be harmless in themselves, and if supplemented by other substances containing vitamins, may be beneficial to

those who consume them. The adulteration of ghee is also not a new practice, and it is well known that the oils and fats used for this purpose are often most offensive and deleterious substances, at times even obtained from the carcasses of diseased animals. It is possible therefore that the method recommended by the Punjab Government may lead to the extended use of those directly harmful adulterants—a result which it is obviously most essential to avoid. Again the demand for pure ghee is understood to be much in excess of the supply. If therefore the proposed colouring of the vegetable products should have the effect of restricting their sale, the price of ghee which is already very high, may be considerably increased.

3. Before arriving at a decision the Government of India would be glad to be furnished, after consultation with commercial and other interests concerned, with the views of the local Government not only on the proposals made by the Government of the Punjab but also as regards any alternative proposal which may commend itself as a means of ensuring that the purchaser of pure ghee obtains the pure article. The Government of India would also be glad to be informed whether in the opinion of the local Government the use of the products in question is injurious to health as is alleged in certain quarters (Enclosure.)

LETTER NO. 33106-H-MEDL., DATED LAHORE, THE 15TH OF DECEMBER 1927, FROM THE SECRETARY TO THE GOVERNMENT OF THE PUNJAB TRANSFERRED DEPARTMENT TO THE SECRETARY TO THE GOVERNMENT OF INDIA DEPARTMENT OF COMMERCE.

SUBJECT :—*Colouring of hardened oils such as 'Vanaspati ghee' before import to India.*

I am directed by the Punjab Government (Ministry of Local Self Government) to forward a copy of the report on the debate which took place in the Punjab Legislative Council on the 23rd November 1927 on a resolution in respect of 'Vanaspati ghee' and to say that the Punjab Government (Ministry of Local Self Government) is

convinced that cheating on a large scale is being practised and that these products (which are deficient in vitamins which are essential for the proper growth of young children and the nourishment of nursing-mothers) are being sold mixed or unmixed with natural ghee as natural ghee. Even wholesale convictions under the Punjab Adulteration of Food Act 1919, could not put a stop to these practices and the machinery for applying that Act to the whole province has not yet been created, and even if such machinery existed experience in other countries has shown how difficult it is to obtain convictions under such enactments. Moreover the practice is so common and so lucrative that convictions under the Act, which provides punishment by fine only, would not act as a preventive. In these circumstances it appears to the Punjab Government (Ministry of Local Self Government) that the only effective method of preventing these forms of wholesale cheating would be to prohibit the import of such products into or manufacture within British India unless they are coloured in such a way that they could not be mixed with or passed off as natural ghee without immediate detection, and I am to request that the Government of India may be moved very strongly to undertake the necessary legislation as soon as possible. Ghee forms the most nourishing portion of the food of the Indian population of this part of India and specially of the poor and the labouring classes and the agitation among the Indian public against the unrestricted import and use of this article is based on perfectly genuine grounds.

Serial No. II—LETTER NO. 847-51 L. S. G., DATED THE 18TH JANUARY 1929, FROM THE SECRETARY TO THE GOVERNMENT OF 'A', L. S. G. DEPARTMENT.

COMMISSIONER OF 'U' DIVISION.

COMMISSIONER OF 'V' DIVISION.

COMMISSIONER OF 'W' DIVISION.

COMMISSIONER OF 'X' DIVISION.

SECRETARY 'Y' CHAMBER OF COMMERCE.

SECRETARY 'Z' CHAMBER OF COMMERCE.

MESSRS. BURROWS LTD., IMPORTERS.

TO THE

SUBJECT:—*Restriction on the importation of vegetable ghee.*

I am directed to enclose herewith a copy of letter No. 532-T. (2) dated Simla, the 5th July 1928, from the Joint Secretary, Government of India, Department of Commerce, together with its enclosure letter No. 33106. H-Medical, dated the 15th December 1927, from the Government of the Punjab, and to request that this Government may be favoured with any comments which you may like to make on the proposal of the Government of the Punjab. I am to add that when this subject was considered by the Royal Commission on Agriculture it was held that there is no objection to the unrestricted sale of vegetable ghees, which are recognised as cheap and wholesome foods, provided they are sold as vegetable ghees and not as natural ghees.

Serial No. III—LETTER NO Nil, DATED THE 4TH FEBRUARY 1929, FROM THE SECRETARY, 'Y' CHAMBER OF COMMERCE TO THE SECRETARY, GOVERNMENT OF 'A' LOCAL SELF-GOVERNMENT DEPARTMENT.

SUBJECT:—*Restriction on the importation of vegetable ghees.*

Sir,

With reference to your letter No. 847-51 L. S. G, dated the 18th January 1929, I am directed by the 'Y' Chamber of Commerce to reply as follows:—

This Chamber is seriously concerned with regard to the character of the resolution passed by the Punjab Legislative Council in respect to the importation of vegetable product.

This resolution embodies a suggestion that vegetable product should be coloured in a manner so that it is easily detectable from the ordinary ghee, and from your own observations we take this to mean that even the most ignorant purchaser of the article may realize that he is buying an article which is different from pure ghee.

We can say that we have not the slightest objection to any legislation which will have a tendency to place

the sale of vegetable product on definite lines so that the actual consumer, however ignorant he may be, will realize that he is buying an article which is not pure ghee. We feel, however, that such a state of affairs is not likely to be brought about by restrictive legislation in the direction of colouring the article in a manner which will render it easily identifiable.

We feel that the position, so far as the sale of vegetable product is concerned, is analogous with the position of the sale of margarine in England in its early stages, where people whose financial position was such that they could not afford to have pure butter, bought margarine because it resembled butter in appearance as well as in flavour, and could thus feel that they were not placed in a category or class distinct from butter users. When the various Margarine Acts were being considered, it was put forward seriously that margarine should be coloured ostensibly so as to ensure that the consumer would know that he or she was not being defrauded, but in actual fact, as was brought out in the speeches in Parliament, this was merely put forward on behalf of the butter interests, in order to place the users of margarine in a certain definite category which would distinguish them from butter users, with the ultimate effect that the classes who looked to margarine as a wholesome, nutritious and economical article of food would be forced to buy butter or categorise themselves as an inferior class who could only afford to buy margarine, or else do without a food, which is admitted by Scientists and Dieticians as being necessary for the human system and equal in value within one per cent. to that of butter.

Although we have written the above in relation to margarine the same applies definitely to vegetable product which stands in the same relation to ghee as margarine does to butter in European countries.

So far as legislation is concerned as we have said above, we welcome this if it is going to ensure that a

purchaser of pure ghee can ensure obtaining the pure article, but in our opinion the legislation of the character suggested would not have this effect, but would rather have the tendency to perpetuate the existence of adulteration of ghee with articles very often of an obnoxious character in view of the fact that there is a certain definite demand for pure or so-called pure ghee which is considerably in excess of the supply.

The Indian Penal Acts and the various Acts and Resolution of the different Provinces provide all the material for protection of the consumer provided these are duly enforced, and we feel that no further legislation is desirable. We have the feeling that the future of vegetable product as a possible profitable business lies in the direction of educating the Indian population to recognise its value as a food product, and to get them to buy it on its value as a food product, and to get them to buy it on its intrinsic merits. To this end it is our intention if we can be reasonably assured of continuing the business, to carry out propaganda through the newspapers, by means of leaflets, and other methods of more personal character, to acquaint the poor class Indian, who cannot afford to buy ghee, and that with the knowledge that he is buying an article which is wholesome and nutritious, while at the same time he is not necessarily classed as an inferior being by reason of the fact that his neighbour knows that he is buying an article which is coloured in an objectionable manner.

Vegetable product in India is going through the same phases as margarine did in Europe in its early stages. A certain amount of adulteration is certainly taking place in ghee with the aid of vegetable product, but it does not take long in a country like India for news to spread, even to the most ignorant classes that vegetable product exist, and those who can not afford to buy ghee can probably afford to buy this article without any feeling that by so doing they are placed in a category derogatory to them.

Vegetable product only came to India a few years ago, and undoubtedly a few shrewd and not too moral traders immediately seized on this article as being excellent for the adulteration of ghee, and to this extent vegetable product did serve a definitely useful and up-raising purpose in as much as this wholesome article replaced in the adulteration of ghee the very obnoxious articles which were formerly used. Still, however although vegetable product has only been in existence for about four or five years, the masses in India are beginning in a small way to demand the article, and we believe that this sentiment and the expansion of this knowledge are going to be much more effective in the prevention of adulteration of real ghee than any legislation initiated by any of the Provinces.

Although in the margarine trade at home it took nearly 40 years to educate the masses that there was nothing derogatory in asking for or in the use of margarine, we feel that with the knowledge and experience we have in the margarine trade in the whole of Europe, this state of affairs can be arrived at in India in less than quarter of the time notwithstanding the difference in the educational standing. If we are correct in our views any legislation made at the present time would not be beneficial, rather the reverse, because it appeals to the Indian mentality to endeavour to defeat legislation, and it might well be that legislation at the moment would be not only negative but positively harmful in that it would check the sale of vegetable product as vegetable product on its own merits, while at the same time it would appeal to adulterators to defeat such legislation and to take great risks because they would be able to sell the adulterated article as pure ghee. This must necessarily be the case because, if in consequence of any legislation the sale of vegetable product were restricted, the price of ghee would rise to such an extent that those who habitually adulterate it would take much greater risks than they do at the present time, because their profits would be so much greater. The effect of legislation, therefore, would be to drive the business underground.

Our views with regard to the vegetable product trade in India are practically the same views as we expressed with regard to the margarine trade prior to the Margarine Acts, 1899 and 1907, in the formulation of which Acts it was our privilege to put facts before the Government which enabled them to construct these Acts on the satisfactory basis on which they were drafted. Since these Acts have been put into operation the adulteration of butter has been reduced to a minimum as is shown by the yearly statistics.

It would give us very great pleasure if legislation is contemplated by any of the Provinces or the legislative Assembly for the whole of India to give to the correct authorities whatever advice is in our power, to enable them to deal with the question of adulteration, while at the same time, preventing the restriction of sale of a wholesome, economical and nutritious article such as vegetable product. We suggest also that our interests in the sale of vegetable products are bound up with those of the authorities in as much as the sale of an article on the market in a definite category to be bought and used on its merits, is equally in the interests of the Government as well as ourselves, because, if we can be sure that the sale of vegetable product can be controlled to the extent that it will be bought on its merits, we feel that we can regard any trade which we may make as based on goodwill attained by the quality of our article and propaganda in connection with our brands.

Serial No. IV—LETTER NO. Nil DATED THE 8TH OF FEBRUARY 1929, FROM THE SECRETARY, 'Z' CHAMBER OF COMMERCE, TO THE SECRETARY TO THE GOVERNMENT OF 'A' LOCAL SELF-GOVERNMENT.

SUBJECT:—*Restriction on the importation of vegetable ghee.*

Sir,

With reference to your letter No. 847-51 L.S.G., dated the 18th of January 1929, I have the honour to reply

on behalf of the 'Z' Chamber of Commerce as follows:—

1. The vegetable oil imported into India is manufactured in Europe by machinery in up-to-date factories. The process of manufacture is scrupulously clean and the vegetable oil is untouched by hand. The oil is pure vegetable, being manufactured from such articles as cotton seeds, coconut, sesame, archis, etc. Innumerable analysis results are well-known and have been widely published. In no instance has it ever been said or suggested by medical authorities that vegetable oil is, or can be, injurious to health.

On the other hand impartial medical evidence has strongly recommended the use of vegetable oil, and in this connection I quote from a report submitted by N. J. Vazifdar, L.M. & F.C.S., F.C.P.S., to the Surgeon-General with the Government of Bombay:—

"I may mention that these products are purely vegetable oils hardened and brought to the consistency of genuine ghee by a special chemical process (hydro-generation) of manufacture. They are of clean white granular appearance and resemble very closely genuine ghee and are entirely free from sourness or rancidity.

These vegetable products produced by chemical processes in clean up-to-date factories are plainly preferable to anything but the purest ghee—a very rare commodity—which, unless made in the consumer's household and under his own eyes, is, as everyone knows, likely to be produced under conditions the very reverse of hygienic and which in most cases is heavily adulterated with extraneous animal fats or vegetable oils of at least equally doubtful origin.

As regards the nutritive value of these products as food, I need only mention that in Europe the very similar substance which is known there as margarine has very largely supplanted genuine butter in the households of all except the moneyed classes and no ill effects have followed this development. As this margarine is being produ-

ced in Europe in enormous quantity and used very widely as a substitute for butter there is no reason why the same should not occur in India also. I may add that some of the products are manufactured in factories in Europe and Holland which are renowned for the excellence of the margarine they make.

In my opinion an extremely useful food-stuff similar to margarine has been made available to the people of India.

2. It is not, nor has it ever been, suggested that the vitamin content of vegetable product is the same as that of pure ghee. Pure ghee, if used in the same way as pure butter is used, is rich in "vitamins", but pure ghee is and has always been adulterated with inferior low grade oils and some times animal fats and therefore consumers generally never have had the benefit of the "vitamins" contained in pure ghee made from milk. Further even pure ghee, unless it is used as a spread in the same manner as butter, loses its vitamin value by being heated, and for cooking purposes its vitamin contents are no greater than that of the vegetable oils against which so much outcry has been raised. In support of this view I quote again from Mr. Vazifdar's report:—

"*Vitamins*"—It is undoubtedly true that genuine ghee derived from milk is rich in, whereas cocogem and the "vegetable ghee" are deficient in, "vitamins". The value of vitamins as substances essential for health cannot be questioned but an important point appears to have been overlooked in this connection and it is that as "cooking fat" there is absolutely no difference between "genuine ghee" and "vegetable ghee". The former when used for frying, baking, and for other cooking purposes is raised to a high temperature and hence all the vitamins present in it are deteriorated. If genuine ghee were to be eaten 'raw' like butter for spreads and condiments it is far superior in nutritive value to vegetable products and cocogem; otherwise for cooking purposes both have similar food value."

3. Solidified vegetable product is undoubtedly being used to mix in with pure ghee, but this mixing of the imported products which is a clean, pure, wholesome and cheap, vegetable product, is, this Chamber contends, an advantage to the consumer. It, first of all, takes the place of the low grade and unwholesome substitutes which have all along been mixed in pure ghee, and secondly it cheapens the cost of the ghee to the consumers.

4. It has been contended by certain members of the Punjab Legislative Council that the continued import of the vegetable product will, in the long run, adversely affect the sale of pure ghee and ultimately lead to the neglect of cattle and the pure ghee industry will be ruined. In the opinion of this Chamber the supply of pure ghee which ultimately reached the consumer has always been very small. Further, the cost of pure ghee has always been so high, that it has been quite beyond the means of millions of people in India. The imported article, which is sold at less than half the cost of so called pure ghee, gives the poorer classes an opportunity of obtaining a cooking medium at reasonable cost. It further forces these who have all along profiteered in pure ghee, and who have been assisted in such profiteering by the small supply of pure ghee and the urgent demand for it, to reduce their prices to a reasonable level. In the opinion of the Chamber a good deal of the agitation has arisen from and is prompted by the fact that such profiteering, thanks to the import of a pure and cheap substitute, is no longer possible. Further, this Chamber is of the opinion that if vegetable product is mixed with pure ghee, it gradually brings it within the scope of millions, in all cheaper form, and consequently the general and more universal consumption will be increased considerably. The fear therefore that the pure ghee industry will suffer need not be considered seriously.

The opposition, by vested interests, directed against the imported article has been such that certain municipalities in the Punjab have proposed and have received

sanction to levy terminal taxes on vegetable ghee, which in the opinion of this Chamber are both prohibitive and unwarranted.

Serial No. V.—LETTER NO. G.361-XIV-8-2, DATED THE 24TH JANUARY 1929, FROM THE COMMISSIONER OF 'U' DIVISION TO THE SECRETARY TO THE GOVERNMENT OF 'A' LOCAL SELF-GOVERNMENT DEPARTMENT.
SUBJECT.—*Restriction on the import and sale of vegetable ghee.*

With reference to your letter No. 874-51-L. S. G., dated the 18th January 1929, calling for my personal views on the above subject, I have the honour to say that I take the same view as was taken by the Royal Commission on agriculture. There can be no objection to the sale of vegetable ghees provided that they are sold as such. The Director of Public Health is of opinion that such ghees are not harmful or injurious and there is no reason why their sale should be restricted. The public are entitled to know what they are buying and if vegetable ghees are correctly described, the public get all the protection they require.

2. Pure ghee is very difficult to obtain and the probability is that the supply is less than the demand. The placing on the market of any substitute which will take its place ought to be encouraged.

Serial No. VI.—LETTER NO. 349-J, DATED THE 26TH JANUARY 1929 FROM THE COMMISSIONER OF THE 'V' DIVISION, TO THE SECRETARY TO THE GOVERNMENT OF 'A', LOCAL SELF-GOVERNMENT DEPARTMENT.
SUBJECT.—*Restrictions on the import and sale of vegetable ghee.*

With reference to your letter No. 847-51--L. S. G., dated the 18th January 1929, forwarding for an expression of my personal views a copy of correspondence regarding the import and sale of vegetable ghee, I have the honour to state that I agree with the views on the subject expressed by the Royal Commission on Agriculture.

Serial No. VII.—LETTER NO. J.424, DATED THE 26TH JANUARY 1929 FROM THE COMMISSIONER OF THE 'W' DIVISION, TO THE SECRETARY TO THE GOVERNMENT OF 'A', LOCAL SELF-GOVERNMENT DEPARTMENT.

SUBJECT:—*Restriction on the import and sale of vegetable ghee.*

With reference to your letter No. 847-51-L. S. G., dated the 18th January 1929, on the subject noted above, I have the honour to state that apparently vegetable ghee is a cheap and wholesome food and can take the place of milk ghee for cooking purposes. It would do more harm than good to spoil its sale by insisting on its being coloured in such a way as to make it unpleasant looking as a food. I think sufficient protection will be afforded by making it illegal to sell vegetable ghee as ghee unless it is clearly marked "vegetable ghee".

Serial No. VIII.—LETTER NO. 51-M., DATED THE 26TH JANUARY 1929 FROM THE COMMISSIONER OF THE 'X' DIVISION, TO THE SECRETARY TO THE GOVERNMENT OF 'A', MINISTRY OF LOCAL SELF-GOVERNMENT.

SUBJECT:—*Restriction on the import and sale of vegetable ghee.*

In reply to your letter No. 847-51-L. S. G., dated the 18th January 1929, on the subject of restrictions on the import and sale of vegetable ghee, I have the honour to submit my personal views.

2. In the first place I, like a good many others, have not yet been convinced that the recent enquiries into the essential elements of diet, which have led to the invention of word "vitamin", have reached a stage of scientific authority which would justify legislative action. Coming to the particular case of vegetable ghee *versus* animal ghee, it is perhaps permissible to point out that the product of the olive has been used for the purposes, for which other races have used the products of the cow, by the people of Mediterranean civilization for at least four thousand years. I believe it is established that the word 'oil' itself is of Minoan origin. An article of diet which has been in general use among the leaders of civilization for

such a period and is still used by an important section of the human race can hardly be described as deleterious. It might be argued that the dietary of the Italians and of other Mediterranean peoples contains other food-stuffs which make up for what is alleged to be deficient in vegetable but present in animal ghee, but I very much doubt if such an argument could be supported by facts.

3. As I therefore do not consider it proved or even rendered probable that vegetable ghee is a deleterious substitute for animal ghee, I am opposed to any attempt to insist on a visual distinction which can be appreciated by the purchaser between the two commodities. It is of course perfectly right that if a purchaser desires animal ghee and the vendor supplies him with vegetable ghee, falsely asserting that it is animal ghee, the latter should be liable to punishment, but I do not consider that the purchaser need be protected more carefully than is at present.

Serial No IX—LETTER NO. *N/1*, DATED THE 28TH OF JANUARY 1929, FROM MESSRS BURROWS, LTD. IMPORTERS, TO THE SECRETARY TO THE GOVERNMENT OF 'A', MINISTRY OF LOCAL SELF-GOVERNMENT.

SUBJECT:—*Restriction on the import and sale of vegetable ghees.*

With reference to your letter No. 847-51-L.S.G dated 18th of January 1929, on the subject noted above, we consider it desirable to bring to your notice the following facts:—

During the last four or five years margarine manufactures have been shipping to India increasing quantities of an article under denomination of vegetable product. This article is made entirely from vegetable fats and is intended for use as a substitute for the Indian ghee.

Indian ghee is made mostly from buffalo milk and is the only form of animal food which is allowed to be eaten by the majority of Hindus. Indian ghee has been in existence for thousand years and according to the reli-

gious requirements it should be eaten by the Hindus in its pure form. For many decades, however, there has been an increasing amount of adulteration of Indian ghee, so that even as far back as ten years ago it was recognised that it was practically impossible to buy in the markets of the Indian Ports ghee which was not mixed with some foreign substance. In the majority of instances the article with which the ghee was mixed was the fat of animals as such fat lends itself to easy mixing. Much of the animal fat also thus used was not of the best quality and it has been discovered by authorities that even animals, who have died from diseases, have had the fat taken from the bodies and this fat used for the adulteration of ghee.

Vegetable product can be regarded as standing in the same relation to ghee as margarine does to butter, that it is a substitute for, or alternative to, the real ghee. Vegetable product was intended to be utilized by the Indians as a cheap and wholesome substitute for the Indian ghee. It is manufactured by machinery and untouched by hand during the whole process of manufacture and being as it is of entirely vegetable origin it should not offend the religious requirement of the Hindus.

Vegetable product resembles in its structure, colour and taste the Indian ghee and unfortunately vegetable products has been used by many of the Indians for the purpose of adulterating pure ghee. To this procedure naturally a very strong opposition has arisen and there have been resolutions passed by various bodies urging the Government to institute legislation which will have the effect of checking this adulteration.

Messrs. Burrows Ltd., have no objection to any legitimate legislation which would have the effect of preventing the adulteration, but there are strong grounds to believe that the agitation which has sprung up is directed by interested parties with the idea of rendering it impossible to sell vegetable product in India. Amongst the suggestions which have been made, the one which

found quite a lot of favour has been that of colouring vegetable product in such a manner as would render it easily identifiable. In pursuance of this idea the colours that have been suggested are such as would render vegetable product objectionable to the sight, and to any such trend of legislation we are most strongly opposed as it would have the effect of killing the trade.

There is no reason to suppose either that prohibitive legislation, such as would be the result of colouring vegetable product would prevent the adulteration of Indian ghee. Ghee, as we have explained before, has been adulterated for many years past and with the increasing population of India and no corresponding increase in the cattle population the tendency would be for the adulteration of ghee to increase still further with lamentable results to the health of the population in view of the type of adulterants used.

It might be maintained that in India the masses thus deprived of nutritious fatty food, such as vegetable product, could turn to nuts and oils indigenous to the country, but there is the fact that these have always been available to the people and large quantities of such nuts and oils are consumed, but in addition to these, the masses require and will buy an article such as ghee or vegetable product. In our opinion, which is confirmed by the opinions of many observers in India, this is due to the fact that the consumer, if unable to buy ghee at the high prices prevailing, desires an article which will be similar to ghee in smell, flavour and appearance.

In some of the Hindu religious ceremonies it is required that a certain quantity of ghee should be used. At marriage ceremonies and at the burning ghat the use of a certain quantity of ghee is prescribed. In the latter instance the ghee is melted and poured over the funeral pyre, quantities varying in accordance with the rank which the deceased bore in life. To an Indian, who could not afford to buy ghee the use of an oil in its original state would be repugnant. If however he can obtain an article which

resembles ghee to the extent which vegetable product does, he is quite satisfied although knowing it is not pure ghee and as the price of vegetable product in India is very little in excess of the indigenous oils the poor Indian readily buys and uses vegetable product for these purposes, thus satisfying his religious scruples.

The whole desire of Burrows Ltd., is to be able to place vegetable product before the public as vegetable product so that the Indian public may know the article and buy it for what it is *i.e.* a cheap, wholesome and nutritious alternative to ghee.

If legislation of a prohibitive or restrictive character is contemplated by the Government of India, we should in view of the value of our interests, be given an opportunity of putting forward our views.

Extract from Notes.

Under Secretary's Note:—

I place on the file a precis of the full correspondence.

(Sd.)

10.2.29.

Chief Secretary's Note:—

5. My conclusion is then that we should oppose this proposal of the Punjab Government. I consider that it would be sufficient to introduce legislation to render compulsory the labelling of vegetable ghee as such as that it cannot be passed off and sold as animal ghee.

6. Would Under Secretary now please prepare a draft to the Government of India. The draft should embody the important points in favour of the continued sale and consumption of vegetable ghee in its present form and also my above views as to what is required in the way of legislation.

(Sd.)

15.2.29.

1943

A.—Precis the correspondence below.

B.—Draft a letter from the Secretary to the Government of X, Finance Department, to the Secretary to the Government of India, Legislative Department, on the basis of the correspondence, supporting the view that the proposed duty should not be imposed.

Serial No. 1.—LETTER NO. 3988, DATED THE 13TH DECEMBER 1918, FROM THE SECRETARY TO THE GOVERNMENT OF INDIA, LEGISLATIVE DEPARTMENT TO THE CHIEF SECRETARY TO THE GOVERNMENT OF X.

SUBJECT:—*A Bill to impose a duty on excess profits arising out of certain Business.*

I am directed to forward herewith copies of the Statement of Objects and Reasons, and to request that the Governor in Council will favour the Government of India in this Department with an expression of his opinion on the provisions of the Bill and with the opinions of such selected officers and other persons as the Governor in Council may think fit to consult on the subject.
(Enclosure.)

Statement of Objects and Reasons.

On the 10th of September 1918, a Resolution was adopted by the Indian Legislative Council declaring that the prolongation of the war justifies India's taking a larger share than she does at present of the cost of the military forces raised or to be raised in this country. It is the object of the present Bill to raise money, by the imposition of an excess profits duty, towards the cost of the measures proposed to give effect to this Resolution.

2. Although no guarantee can be given by the Government on the point, the change which has recently

come over the military situation makes it possible that the sum to be raised by the duty will not be required for more than one year, and the duty is therefore, imposed by the Bill only on the profits of a single year. The proposed duty will absorb fifty percent. of the excess of the profits made in an accounting period of twelve months a certain standard called in the Bill the "standard profits". The accounting period consists of the twelve months ending on the 31st March 1919, unless a different period of twelve months has been taken for the income-tax assessments of that year, when that period is taken; and the profits of the accounting period are those ascertained for income-tax purposes. Standard profits are calculated on different bases when the business subject to the duty has been assessed to income-tax in the course of the four financial years, 1913-14, 1915-16, 1916-17; 1917-18 and when it has not.

3. When a business has been assessed to income-tax in the four years, the standard profits will, under the Bill, be the average profits as assessed for income-tax purposes, with proportionate increases of the assessment if any of the years covered a period of less than twelve months. When it has not been assessed to income-tax in the four years, the standard profits will be calculated at ten per cent. on the capital of the business at the end of the accounting period. With slight modifications, the provisions of the British Excess Profits Duty Acts are followed for the calculation of the capital of the business.

Serial No. 2—NO 1967 F.T. DATED THE 23RD DECEMBER 1918, MEMO BY THE SECRETARY TO THE GOVERNMENT OF X, FINANCE DEPARTMENT, TO THE SECRETARY TO THE BOARD OF REVENUE GOVERNMENT OF X.

Copy of a letter No. 3988, dated the 13th December 1918, from the Government of India in the Legislative Department and of its enclosures are forwarded to the Secretary to the Board of Revenue, with the request that Government may be favoured with an expression of the opinion of the Board on the provisions of the

Bill by the 15th January 1919, at the latest. It is realised that the Board will not have time to consult local officers.

Serial No. 3—NO 1976/80 F.T. DATED THE 24TH DECEMBER 1918, FROM THE SECRETARY TO THE GOVERNMENT OF X, FINANCE DEPARTMENT, TO THE COMMISSIONERS OF DIVISIONS.

I am directed to forward herewith a copy of a letter from the Government of India in the Legislative Department No. 3988, dated the 13th December 1918, and of the Bill to impose a duty on excess profits arising out of certain businesses with Statement of Objects and Reasons, and to request that you will be so good as to report your own views on the provisions of the Bill direct to Government by not later than the 15th January 1919.

Serial No. 4—NO. 24-101-2, DATED THE 2ND JANUARY 1919, FROM THE SECRETARY TO THE BOARD OF REVENUE, GOVERNMENT OF X, TO THE SECRETARY TO THE GOVERNMENT OF X, FINANCE DEPARTMENT.

I am directed to acknowledge the receipt of the Government Memo. No. 1967 F. T., dated the 23rd December 1918, on the subject of a Bill to impose a duty on excess profits arising out of certain businesses, and in reply to report as follows.

The Statement of Objects and Reasons of the Bill states that the object of the Bill is to give effect to the Resolution adopted by the Indian Legislative Council on the 10th September 1918, declaring that the prolongation of the war justifies India's taking a larger share than she does at present of Military forces raised or to be raised in this country.

2. Objection may therefore be put forward that now that the war is practically over, there is no further justification for the Bill. The Board does not, however, agree with such objection.

3. As a consequence of the war, the Military forces raised or to be raised in India will have to be maintained

certainly for the next year and probably also for longer in such greater number that would be maintained but for the war, and also there will be extra expenses that have arisen and will continue for some time to come in consequence of the war, and general taxation will in consequence be usually heavy. It is only fair that those who have benefitted by the war should contribute in a special degree, and more than others who have not so profited, towards such enhanced Military requirements and expenditure.

4. It is only proposed that the tax should continue for one year, but the Board considers that it would be justified if it were continued even longer, if such special conditions continue to exist at the expiry of a year.

5. As regards the provisions of the Bill the Board considers that they are suitable and has no amendments to propose.

Serial No. 5—NO. 1 S.R., DATED 1ST JANUARY 1919, FROM THE COMMISSIONER OF THE 'A' DIVISION, TO THE SECRETARY TO THE GOVERNMENT OF 'X, FINANCE DEPARTMENT.

I have the honour to invite a reference to your letter No. 1976-80-F.T., dated the 24th December 1918, and enclosures on the subject of the Bill to impose a duty on excess profits arising out of certain businesses, and to submit the expression of opinion.

2. In the Statement of objects and Reasons it is said on the "10th of September 1911 a Resolution was adopted by the Indian Legislative Council declaring that the prolongation of the war justifies India's taking a larger share than she does at present of the cost of the military forces raised or to be raised in this country. It is the object of the present Bill to raise money by the imposition of an excess profits duty, towards the cost of the measures proposed to give effect to this Resolution." It cannot, I think, be denied that an excess profits tax is objectionable in principle, and that its imposition can be justified

only by extreme necessity. At the time when the Resolution was adopted, no one could foresee that within the brief space of two months, the allied armies would gain such complete victories that our enemies would surrender unconditionally. I presume that the Government of India, like prudent men, based their calculations on the supposition that the war would last at least until May 1919, and possibly for a whole year. In that case, since everything had to be subordinated to the paramount necessity of winning the war, an excess profits tax or any other similar extreme measure could be justified.

3. Circumstances have, however, fortunately changed. The war is over, and the Government of India are freed from a large part of the charges which they would have otherwise had to meet. I understand also that Imperial receipts are greatly in excess of the budget estimates. Railways have done well, and the rise in exchange has benefited greatly the Government in meeting their liabilities at home. The only unfavourable circumstance is the failure of the monsoon and the consequent poor harvests in a large part of India. In my view an excess profits tax can be justified only as a war measure and as the war is at an end, and prospects are on the whole favourable, I hold that it should be abandoned.

4. I anticipate that with the return to peace conditions a period of great trade and industrial activity will ensue throughout the world. If India is to take her due share in this, capital must be conserved and not dissipated as it will be if the Bill becomes law. The excess profits tax will be paid largely out of that portion of the profits which would otherwise have been devoted to the extension or improvement of businesses and industrial enterprises. India will need for many years to come all the capital that she can obtain.

5. The mere anticipation of the imposition of an excess profits tax, which was not expected after the war had ended, has produced a general and disastrous fall in the price of shares, the unfortunate holders of which

have consequently lost permanently or temporarily a portion of their capital and will also have to forego on account of the tax part of the dividends on which they had counted.

Serial No. 6—NO. 136 R., DATED THE 12TH JANUARY 1919.
FROM THE COMMISSIONER OF THE 'B' DIVISION TO
THE SECRETARY TO THE GOVERNMENT OF X, FINANCE DEPARTMENT.

I have the honour to acknowledge the receipt of your 1976-80 F.T., dated 24th December 1918, asking for my views on the provisions of the Bill to impose a duty on excess profits arising out of certain businesses. I have not consulted any of the Deputy Commissioners as it was not apparently the intension of Government that I should do so. I have no inside knowledge of the subject, but can merely note the obvious points which strike every one.

2. The Government of India would seem to have provoked by their own action the present opposition displayed in the Press and by the Chambers of Commerce. Everyone expected a tax on Jute last year and if such a tax had been imposed probably no dissentient voice would have been heard. It was not imposed, and Jute mill shares promptly jumped to double their former value.

In last autumn the Government of India announced their intention of imposing an excess profits tax because of the necessity of raising enormous new armies, apparently to resist an invasion of India through Persia and Afghanistan. Naturally no one raised any opposition. Naturally also there was a storm of opposition when the war came to an end in November last and the Government of India announced their intention of still proceeding with the Excess Profits Bill to cover other expenses.

3. The plain man cannot understand why this tax was not imposed last year, and if it was found unnecessary last year, why it should be found necessary this year. The plain man also in the same manner cannot

understand why the Government of India did not raise a War Loan in 1916 if not in 1915, and Sir William Meyer's remarks in 1916 about the necessity of expenditure on sanitation and education were not appreciated.

4. Assuming however that the Bill is to be accepted there seem to me to be certain defects with regard to some of the industries which will be affected.

(1) *The Coal Industry*—This trade during the war has been controlled. Uncontrolled Indian coal would have commanded enormous prices and a large number of fortunes might have been made from coal than from jute. The profits therefore during the war have not been high, though every little colliery is working for all it is worth, since all coal commands a market; the large collieries are not in a depressed state, but they are not, I believe, particularly prosperous. During 1917 the raisings in the coal fields were large than they had been before, during 1918-1919 owing to the failure of the crops and consequent abundance of labour, the raisings will probably be greater than in the preceeding year. The profits will probably therefore be somewhat higher, though of course Government will have derived the main benefit. The present Bill proposes to appropriate half the profits. I should say myself, considering the manner in which the coal trade has been controlled, that to do this was unfair, and I would place the coal industry among the excepted business. The difference to Government should not be very considerable, but this concession should go far to remove the opposition to the Bill.

(2) *Smaller Industrial Concerns*.—The Indian Industrial Commission's Report is intended to simulate these concerns, and various Companies have taken the opportunity of the absence of shipping and foreign competition to put on industries which might not otherwise have a chance of success. With regard to brass industries, tanneries, dye works and engineering works the present Bill will, I think, go some way to kill them, when they had great hopes of success. They have only a certainty

of making a large profit at the present time, since it is at least doubtful if they can live against foreign competition when circumstances have returned to normal. The Bill would thus seem directly in opposition to the policy advocated by the Indian Industrial Commission. It would seem to be a debatable point whether these industries should not be excepted from the operation of the new Act.

(3) *Indigo and Tea*—These have hitherto been exempt under agriculture and perhaps will remain exempted from the present Bill. Since probably both the industries will be unaffected by the Bill it is perhaps not worth while raising the question whether or not they should be excluded from agriculture. In any case I do not think they should be included in the new act.

5. On the whole there seem to me to be many reasons for holding that the new Bill should be confined to the Jute Mills as far as Bengal is concerned. There would also seem to be no objection to extending the Bill to Cotton Mills. Both jute and cotton have made enormous profits in consequence of the war conditions.

Serial No. 7—NO. 1-R., DATED THE 14TH JANUARY 1919.
FROM THE COMMISSIONER OF THE "C" DIVISION,
TO THE SECRETARY TO THE GOVERNMENT OF X,
FINANCE DEPARTMENT.

With reference to your letter No. 1976-80-F.T. dated the 24th December 1918, requesting me to report my own views on the provisions of the Bill to impose a duty on excess profits, I have the honour to state as follows:—

2. I generally approve of the provisions of the Bill, and do not think there is any force in the argument that such a Bill should not be passed now that the war has ended. The war cannot be said to have ended until peace is finally declared and it is evident that the problem of a satisfactory and lasting peace is an extremely difficult and complicated one and there may be unexpected developments. Military expenditure must continue until peace is finally declared and in any case very heavy debts already incurred on account of the war must be paid up.

It is only fair that those to whom war conditions have brought large and unexpected profits should contribute towards the cost of the war.

*Serial No. 8—NO. XII-12-3, DATED THE 16TH JANUARY 1919,
FROM THE COMMISSIONER OF THE "D" DIVISION, TO
THE SECRETARY TO THE GOVERNMENT OF X, FINANCE
DEPARTMENT.*

I have the honour to acknowledge the receipt of your letter No. 1976-80 F.T., dated the 24th ultimo, forwarding a copy of a letter from the Government of India in the Legislative Department, No. 3981, dated the 13th idem, and of the Bill to impose a duty on excess profits arising out of certain businesses, with Statement of Objects and Reasons, and asking me to report my own views on the Bill.

2. In reply I have the honour to state that in my opinion there could have been no valid objection to an Excess Profits Tax in this country if it had been imposed at a reasonable rate, at the same time as in England, but the time for it has passed. No such measure having been enacted during the pendency of the war, it is not desirable to pass one some months after the armistice has been signed. When the end of the war was in sight a large number of projects for the extension of existing, and the development of new, industries in this country were worked up, and many of these have been quite recently floated. It is recognised on all hands that every possible encouragement should be given to industrial development in India, and that the flow of capital into industrial businesses should be stimulated as far as practicable; but I fear that the levy of an Excess Profits Tax at this stage on the lines of this Bill must have the opposite effect, namely of discouraging and depressing these nascent industries, and that it will tend to divert capital from this country. Capitalists had realized the enormous possibilities of industrial extension. The time was felt to be opportune; and money commenced to flow freely into the new ventures. The result was probably to a great extent

due to a feeling of security encouraged by the belief that the Government of India had finally abandoned the idea of an Excess Profits Tax. It would seem very impolitic to do anything that will check the healthy growth of this spirit of enterprise in its early life. Valuable time will be spent in recovery, which may or may not be complete; and that development which is so essential politically as well as economically will have a set-back.

3. It further appears that, owing to conditions in this country and to the fact that certain trades have been controlled and others not, the burdens of tax will not fall equally in all cases, and that it will press more heavily upon some industries than upon others. If this be so, it will be difficult to justify the measure.

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- (1) Make a **Precis** of the following proceedings, and
- (2) draft a despatch to the Secretary of State for India reporting for his information how the Government of India, after reviewing the allocation of actual expenditure in 1935-36, defined the objects on which the grants for rural reconstruction might be utilised, the basis, nature and plan of the distribution of funds, the machinery for execution and the method of control and to what extent these were modified on the suggestions made and information supplied by the Provincial Governments and Minor Administrations.

LETTER FROM A.J. RAISMAN ESQ., C.I.E., L.C.S., ADDITIONAL SECRETARY TO THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT TO ALL LOCAL GOVERNMENTS AND ADMINISTRATIONS, DATED SIMLA, THE 29TH JUNE 1936, NO.-D-2598-B.

SUBJECT — *Rural reconstruction—Grants.*

*The despatch to the Secretary of State would not be necessary in the context of the Independence of India. The form of the draft can only be of historical interest.

I am directed to address you on the subject of the utilization of the Government of India grants for rural reconstruction. A sum of Rs. 92½ lakhs was placed at the disposal of Local Governments and Minor Administrations for this purpose during 1935-36. An extra amount of Rs. 103 lakhs is available for the current financial year, and will be distributed to the provinces, etc., according to the statement annexed. The main efforts of the Central Government are now, as is well known, bent towards the early devolution of resources to provinces in accordance with the recommendations of the Niemeyer Report and in these circumstances the figure of approximately Rs. 2 crores, which represents the sum of these two allotments, must constitute the maximum that the Government of India are likely to be able to contribute to provinces within any foreseeable future in aid specifically of rural development. It is in these circumstances of the utmost importance that it should be expended to the greatest possible advantage and the Government of India therefore consider it appropriate to state the impression that they have formed from a careful perusal of provincial reports on the allocation of actual expenditure of the amounts allotted last year and, on the basis of these impressions, and on the information available to them, to indicate the conditions subject to which they propose to make the further distribution envisaged in this year's budget speech and their suggestions for the future expenditure of the funds that may still be available from last year's allotment.

2. The task of comparing the values of the objects selected by the different Local Governments for expenditure from the grants made to them and of making suggestions for future expenditure is rendered difficult by two circumstances. In the first place, the needs of provinces are not identical. Secondly, many of the schemes undertaken last year were admittedly experimental and most of them are incomplete; it is probable therefore that Local Governments would in any case have reconsidered the position and revised their programmes. There are, how-

ever, certain general points which have struck the Government of India. First, except in one or two provinces, effort has tended to become diffused over too wide a field and it appears to the Government of India to be essential to avoid this by concentrating, as indeed some provinces have done, on two or three main heads. Secondly in a number of provinces the machinery of sanction and control has tended to become too centralised, with the result that progress of local schemes has been hindered by the inadequate freedom of initiative of the district authorities. In other provinces again, the allotments have been made not to the district officer, but to local bodies, *e.g.*, district boards. The Government of India consider that it is of the first importance to concentrate the relatively small funds available for each district in the hands of the district officer so that, they can be disbursed through a single channel on objects selected in fulfilment of a single co-ordinated policy.

3. The points referred to above relate to the machinery and method of distribution. In addition to these there is a fundamental principle to be borne in mind in deciding how the funds shall be expended, to which the Government of India attach the utmost importance. This, is, that all schemes should be contributory, that is to say that villages or other areas which are to benefit by sums drawn from these grants to provinces should themselves make a contribution of say, not less than one-third, either in cash or in kind (by labour or the like), as a condition of receiving the remaining two-thirds. It goes without saying that if this could be ensured, not only would it be possible materially to extend the benefits which will be derived by villages from the grants now under discussion, but also a much closer and more real co-operative interest on the part of the cultivators themselves would have been evoked.

4. With these preliminary observations I am to ask that the scheme of rural reconstruction adopted last year by the Government of Madras, etc., should be

reexamined and, so far as possible, modified in the light of the following general principles :—

(i) Each Local Government should select two or three main objects, suited to the conditions of its own province, to which to devote the money available, and should resist every attempt to deflect it from those objects. Two points, which are eminently deserving of attention, are the improvement of rural communications and the improvement of water-supply. In the economic field, the consolidation of holdings may also be thought to merit consideration. The Punjab has done much in this direction and will doubtless be ready to give to other provinces the benefit of its experience.

(ii) The grants to provinces are, of course, not liable to lapse at the end of a financial year. It is important, therefore, that Local Governments and their district officers should avoid short-range schemes or attempts to accelerate accomplishment at the sacrifice of the stability of the results achieved; and that they should work out a definite policy and plan for spending the amount available over a period of, say, five years. This plan should not only cover the whole of the amounts now to be made available; it should also embrace any such amounts which are still unallotted, or which it is still possible to re-allocate, from the grant made last year.

(iii) The execution of actual schemes should be definitely dependent on the appropriate contribution as indicated in paragraph 3 above from the villagers themselves being forthcoming.

(iv) Subject to (v) below, there should be, in respect to the power of allocation of grants and to the actual execution of schemes, the maximum degree of delegation to the district officer, save where there are quite special reasons to the contrary, or where the nature of a particular scheme will not admit of this. There should be a clear definition of the objects on which money is to be spent, periodic inspection of schemes and expenditure throughout each province by a competent officer, with knowledge of district work, and periodical reports on

the progress which is being made ; but within this fairly wide frame-work, complete freedom of initiative should be left to the district officer, or other person in immediate charge, so as to ensure freedom of development. The reports of the reviewing officer, which will be submitted to the Local Government will enable the latter to secure conformity of local effort to the common plan and modification of this plan, should this become necessary, on co-ordinated basis. Closer control on local initiative and activity should not really be necessary. The Government of India will be glad to receive copies of the periodic reports of the Provincial Reviewing Officers and, at intervals of six months, a consolidated review of progress for a province as a whole.

(v) The bulk of the grants (say, 80 per cent.) should be allocated to districts on a rural population basis. The remainder should be available for allocation, still within the two or three main categories of schemes decided upon, to specially needy districts, or even possibly to special schemes to meet special local exigencies.

5. The Government of India have indicated in the preceding paragraphs the conditions subject to which they propose to make the further grants now under consideration to local Governments. They will be glad to be furnished, at an early date, with information (a) as to the particular categories of scheme which the Government of Madras wish to adopt, (b) as to the amounts which they propose to divert to such categories from allocations made to other purposes under last year's grant, and (c) as to extent and nature of the delegation proposed to be made to district officers, and the arrangements contemplated for the periodic inspections referred to above. They would also be glad to be furnished with an up-to-date report by the end of July as to the expenditure incurred under such of last year's schemes as will remain in operation and also of the results actually achieved. This report should be in a form in which it can be laid before the Central Legislature.

APPENDIX

RURAL DEVELOPMENT GRANTS.

Province.	Rural population (in millions).	Previous allotment (in lakhs of rupees).	Proposed allotment (lakhs).
Madras	37.90	14	15
Bombay	13.79	7	5
Sind	3.19		3
Bengal	46.43	16	18
United Provinces ...	42.98	15	17
Punjab	20.51	8.5	8.5
Burma	13.15	5	5
Bihar	30.91	12.5	12
Orissa	7.80		4
Central Provinces ...	13.64	5	6
Assam	8.41	5	6
North-West Frontier Province	2.04	3	3
Delhi		5	5
Ajmer-Merwara ...		5	5
Coorg		5	5
Total		92.5	103

LETTER FROM C. E. JONES, ESQ., I.C.S., SECRETARY TO THE GOVERNMENT OF MADRAS, FINANCE DEPARTMENT; TO THE ADDITIONAL SECRETARY TO THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT. DATED THE 10TH SEPTEMBER 1936, Ms. No. 411.

Utilization of the Government of India grants for rural reconstruction.

In continuation of Mr. Masterman's letter No. 1346, P.H., dated the 24th August 1936, forwarding a consolidated report of the expenditure incurred under the last year's schemes financed from the Government of India grants for rural reconstruction, called for in paragraph 5

of Mr. Raisman's letter No. D. 2598-B, dated the 29th June 1936, I am directed to communicate to the Government of India the observations of the Government of Madras on the principles enunciated in paragraph 4 of his letter.

2. *Objects to which the amounts to be devoted*—The Madras Government have on several occasions in the past, examined the question of consolidation of holdings, the latest examination having been in the year in 1931 on the lines suggested by the Royal Commission on Agriculture. The Board of Revenue consulted on that occasion all Collectors, as well as the Registrar of Co-operative Societies, and the general opinion expressed was that the evil of fragmentation was not very great in this Presidency and that no special steps were required for the consolidation of holdings. In these circumstances this Government do not desire to utilize any portion of the present rural reconstruction grants for the purpose.

This Government accordingly propose to devote the available amount to the following objects :—

I. Improvement of rural water-supply, including borehole wells.

II. Improvement of rural sanitation.

III. Improvement of village communications, including the bridging of irrigation canals and channels at places where there are no roads.

IV. Encouragement and development of Co-operative Loan and Sale Societies by giving partial grants for the construction of godowns (with or without village halls-cum-reading rooms) and, in specially deserving cases, towards the cost of the staff required to run the societies for the first few years.

Practically the whole of the grant of last year was allocated with the approval of the Government of India for the first three objects, and this Government consider it very desirable to devote more money for these purposes

in addition to the amounts which are normally allotted from the Provincial Revenues proper. As regards the last item, the value of Co-operative Loan and Sale Societies in assisting the ryot to get a fair price for his crops is great, but these societies are helpless unless they possess storage accommodation and are assisted in other ways. A few such societies have been given loans on a low rate of interest for construction of godowns, and this Government, with the concurrence of the Legislative Council, have recently decided to give a subsidy amounting to about Rs. 7,000 per annum (inclusive of rent for godowns) to a Provincial Marketing Society for stimulating and co-ordinating the work of the various loan and sale societies. This Government would, in the circumstances, request that they might be permitted to utilize a portion of the rural reconstruction grant for grants to loan and sale societies to meet a portion of the cost of construction of godowns with the addition, where feasible and desirable, of a village hall *cum*-reading room, where the villagers can meet. It might be necessary in deserving cases to offer some slight further inducement to the formation of such societies by meeting a portion of the cost of the staff required by the societies for a maximum period of three years.

3. *Re-allocation of the grants made last year and policy and plan for spending the total amount available.*—The authorities to whom the grant of last year was distributed have been requested to report the amount, if any, that can be withdrawn and added to the grant of the current year for re-allocation, but it is not expected that it will be appreciable. A further report will be made to the Government of India on this point.

The Madras Government propose to instruct Collectors of districts to draw up a policy and plan in respect of each district in consultation with the District Economic Councils, which have recently been established, or will shortly be established, in each district. Collectors will, in this connection, be advised specifically to consider the requirements of depressed classes.

4. *Contribution from villagers and others towards the cost of schemes*—The Madras Government welcome the decision that the schemes financed from the grant should be contributory, but would suggest that contributions from philanthropists, district boards and public associations (like the Rockefeller Foundation,) might be regarded as equivalent to contributions from villagers, when, from the nature of the schemes, it might be necessary to educate the villagers to appreciate the value of the schemes, subject to a distinct understanding with the contributors that the acceptance of a contribution from them will not affect control of the scheme by the Collector of the district.

As regards the share of the cost to be collected from villagers and others, this Government, while accepting the minimum of one-third (in cash or in kind), propose to fix different rates for different classes of schemes, *e. g.*, for godowns with or without village hall-cum-reading rooms, the contribution will be fixed at 75 per cent. of the cost, this being given as a loan from provincial funds, while for the Poonamallee Health Unit, the contribution from the Rockefeller Foundation, in respect of each year's expenditure, has been fixed at percentages varying from 50 to 20, the total contribution during the five years working up to over one-third of the total cost.

5. *Execution of the schemes, inspection during execution and periodic reports*.—This Government propose to give the fullest freedom to Collectors of districts in the matter of the execution of the schemes, leaving it to them to employ the existing minor irrigation staff, or the Public Works Department staff or special staff, as may be found most suitable and convenient. A doubt has, however, been expressed, whether the Collector is competent to execute a work on a road vested in a district board. It is proposed to obtain legal opinion on this point and, if the opinion is unfavourable, the execution of the work may have to be entrusted to the district board concerned. Even if this has to be done,

it will, be clearly laid down that the full responsibility for getting the work done and as cheaply as possible will be vested in the Collector.

On the question of inspection of works, this Government are at a disadvantage in that, unlike other provinces, there are no divisional commissioners in this province. As they do not consider that they would be justified in appointing a separate wholetime Reviewing Officer for the purpose, they propose to entrust the work to the Board of Revenue as a whole, as the three members who constitute the Board will be touring in most of the parts of the province. In addition, the Commissioner of Labour and Rural Uplift will also be instructed to inspect the schemes under execution during his tours and especially those undertaken for the benefit of the depressed classes, and to submit his inspection reports to the Board of Revenue,

Copies of the inspection reports of the individual Members of the Board and of the Commissioner of Labour and Rural Uplift will be furnished to the Government of India, as also a consolidated progress report every six months. The Finance Department of the Local Government will exercise the usual financial control over the expenditure.

6. *Distribution of the amount available over districts.*
—The Madras Government accept the proposal that 80 per cent. of the current year's grant of Rs. 50 lakhs and of the amount, if any, which it may be possible to divert from the allocations made from last years grant, should be allocated to districts on a rural population basis. The balance will be held as a reserve to be utilized for supplementing the share of those districts which come off badly under such a system of distribution, for meeting the Government's share of the cost of the Poona-mallee Health Unit until the 31st March 1941 already accepted by Government of India in their telegram, dated the 27th July 1936, and for any special schemes falling within the categories defined in paragraph 2 above

which Collectors of districts, in consultation with District Economic Council recommend for adoption. The actual distributions will be reported to the Government of India on receipt of their acceptance of the proposals made in the foregoing paragraph.

7. I am to request that, if the Government of India agree to the proposals in paragraph 2 to 6 above, arrangements may be made to transfer to the credit of this Government their share of the grant for the current year.

MEMORANDUM NO. 4538 III 36, DEVELOPMENT, DATED, 13TH OCTOBER, 1936.

In a Press Communique issued in the Finance Department on the 27th, August 1936, explaining the schemes for the benefit of rural areas in progress and under examination by Government, it was stated that the Government of India proposed to make a further grant of Rs. 15 lakhs in 1936-37 for rural reconstruction work in this Province.

Paragraph 6 of the communique ran as follows : -

"In regard to the additional Rs. 15 lakhs for rural uplift given by the Government of India, that Government have stated that 80 per cent of it and of the balance of last year's grant, if any, available for re-allocation should be allocated to the several districts on a rural population basis, that the remainder should be made available to specially needy districts, or to special schemes to meet special local exigencies, and that the execution of any scheme in any rural area should be definitely dependent on a contribution of not less than one-third of the cost either in cash or in kind (by labour or the like) from the village or other area which is to benefit by the scheme.

This Government propose to accept these conditions.

The Government of India have further defined the nature of the schemes that may be financed from the grant and have suggested that their execution should

be entrusted to district officers. The Madras Government propose to entrust Collectors of districts with the execution of schemes in consultation with the recently constituted District Economic Councils and have provisionally selected schemes falling in the categories mentioned below :—

I. Improvement of rural water-supply.

II. Improvement of rural sanitation.

III. Encouragement and development of loan and sale co-operative societies by making free grants towards part of the cost of godowns (and for village-hall *cum* reading room, if so desired.)

IV. Improvement of village communications, including the bridging of irrigation canals and channels where there are no roads.

Before recommending these categories to the Government of India for acceptance this Government propose to invite suggestions from Collectors and District Economic Councils.

2. It was however found that District Economic Councils have not been set up in all districts and that consultation with Collectors and Councils would unduly delay this Government's reply to the Government of India. This Government therefore recommended to the Government of India the four categories of schemes referred to above as suitable objects on which the Government of India grant could be most usefully spent in view of the terms and conditions laid down by them. The reply of the Government of India sanctioning these proposals is awaited. Pending their reply, Collectors of districts are requested to formulate in consultation with their District Economic Councils specific proposals for spending their district grants subject to the terms and conditions set forth below.

3. *Distribution of the grant.*—It is too soon to say whether any and, if so, how much of the grant made in

1935-36 is now available for diversion from the allocation already made. Whatever that may be found available will be distributed later on. The balance of Rs. 3 lakhs from the grant of 1936-37 will be held in reserve to supplement the share of those districts which may come off badly under the system of distribution mentioned above and for special schemes falling within the categories defined in paragraph 4 below, which Collectors of districts, in consultation with District Economic Councils, may recommend for adoption.

4. *Objects to which the grant may be devoted.*—These have already been set forth in paragraph 6 of the Press Communiqué extracted in paragraph 1 above. They are :—

I. Improvement of rural water-supply, including bore-hole wells.

II. Improvement of rural sanitation.

III. Improvement of village communications, including the bridging of irrigation canals and channels at places where there are no roads, and

IV. Encouragement and development of co-operative loan and sale societies by giving partial grants for the construction of godowns (with or without village halls-*cum* reading rooms), and in specially deserving cases grants towards the cost of the staff required to run the societies for the first few years.

Practically the whole of the grant of 1935-36 was allocated for the first three objects but it is very desirable to devote more money for these purposes in addition to the amounts which are normally allocated from the Provincial Revenues proper. As regards the last item, the value of co-operative loan and sale societies in assisting the ryot to get a fair price for his crop is great, but these societies are helpless unless they possess storage accommodation. It is desirable that these societies should be helped by giving grants to meet a portion of the cost of

construction of godowns with the addition, where feasible and desirable, of a village hall-cum-reading room where villagers can meet. It might be necessary in deserving cases to offer some slight inducement for the formation of such societies, by meeting a portion of the cost of the staff required by the societies for a maximum period of three years.

5. *Contribution towards the cost of schemes.*—The Government have accepted the suggestion of the Government of India that the schemes should be financed on a contributory basis; that is, villages or other areas which are to benefit from these grants should themselves make a contribution in cash or in kind (by labour or the like) of at least a third of the cost of the scheme, except in the case of item IV in paragraph 4 above. In the excepted case the Government accept that 75 percent. of the cost of the scheme, this being advanced, if need be, in the shape, of a loan from Provincial funds at a cheap rate of interest should be met by the society. The contributions from philanthropists, district boards and public associations, e.g., the Rockefeller Foundation, will be regarded as equivalent to contributions from villagers when from the nature of the schemes it might be necessary to educate the villagers to appreciate the value of the schemes, subject to a distinct understanding with the contribution that the acceptance of a contribution from them will not affect control of the scheme by the Collector of the district.

6. *Execution of the schemes, inspection during execution periodic reports.*—

(a) The grant will be spent by the Collector of the district who will have the fullest freedom in the matter of execution of schemes, employing the existing Minor Irrigation staff, or the Public Works Department staff, or special staff, whichever may be found most suitable and convenient. Collectors will, in preparing or carrying out any scheme, bear in mind the special conditions and requirements of the depressed classes. The question whether the Collectors is legally competent to execute a work

on a road vested in a district board will be examined separately. If he is not competent to do so, execution of such work should be entrusted to the district boards concerned. Even in such cases the full responsibility for getting the work done as cheaply as possible will rest with the Collector.

(b) The Board of Revenue will be the provincial reviewing authority. The Members of the Board will inspect the work and submit their reports to Government as each work is inspected. The Board of Revenue will also send a consolidated half yearly progress report so as to reach Government not later than the 15th April and the 15th October, the first report being for the half-year ending 31st March 1937. The Commissioner of Labour and Rural Uplift will also inspect the schemes under execution during his tour especially those undertaken for the benefit of the depressed classes and submit his inspection report to the Board of Revenue. The Board of Revenue will submit a copy of the Commissioner's report also to Government.

7. The Director of Public Health has been asked to prepare suitable schemes as regards rural sanitation. The Registrar of Co-operative Societies has been asked to obtain applications for grant for the construction of godown. Now that it has been decided that the grant should be spent by Collectors of districts, these heads of departments are requested to direct their local representatives in districts to place their respective schemes before the Collector of the district.

To all Collectors (except Madras).

To the Board of Revenue.

To the Commissioner of Labour and Rural Uplift.

To all other Heads of Departments except Deputy Director of Agriculture (Cinchona).

To all Departments of Secretariat except Legal Department.

To the Inspector of Municipal Councils and Local Boards.

To all Presidents of District Boards.

LETTER FROM A.J. RAISMAN, Esq., C.I.E., I.C.S.,
ADDITIONAL SECRETARY TO THE GOVERNMENT OF
INDIA, FINANCE DEPARTMENT, TO ALL LOCAL GO-
VERNMENTS (EXCEPT BURMA) AND ADMINISTRA-
TIONS, DATED THE 20TH FEBRUARY 1937, NO. D.
1274/B-37.

Madras—No M.S.
411, dated the 10th
September 1936.
Bombay etc.

With reference to your letter noted in the margin, I am directed to say that the Government of India, having reviewed the proposals and observations of the provincial Government on the utilization of the grants for rural reconstruction, have decided to attach to the further allotments now to be made the conditions set forth in my letter No. D. 2598-B, dated 29th June 1936, subject to the modification indicated below.

2. The local Governments have, generally speaking, concurred in the desirability of concentration of effort and avoidance of wasteful diffusion over too wide a field, but have asked that, in view of the different conditions prevailing in different areas of the same province, the number of schemes to be financed should not be strictly limited to the "two or three" originally laid down. In particular, they are disposed to add rural sanitation to rural communications and water-supply as an object deserving of primary attention. The Government of India have no objection to this. Besides these primary objects the provinces have usually put forward two or three special schemes such as schemes for cattle improvement, or the distribution of improved seed. The Government of India have decided that generally speaking the revised proposal of the local Governments now comply sufficiently with the condition laid down in this regard.

3. The second principle put forward in paragraph of my letter of the 29th June 1936 has also met with general and substantial acceptance. Provided the local Governments aim at the achievement of stable results, th

Government of India are not disposed to insist on a rigid five year programme, and agree that the expenditure may be spread over a somewhat shorter period, not less than three years, where this appears to be desirable. The Government of India also accept the proposals of the local Government in regard to the allocation of the first years grants, a procedure which has naturally been restricted by the extent to which those Governments have entered on commitments from which they have found it impossible or highly undesirable to resile.

4. The Government of India's third condition was that all schemes should be contributory, i.e., that the villages which are to benefit from the expenditure should themselves make a contribution of not less than one-third, either in cash or in kind (including labour) as a condition of receiving the remaining two-thirds. The object of this condition was not merely to make the grants go as far as possible, but also to evoke a most closer and more real co-operative interest on the part of the cultivators themselves. All the provincial Governments have accepted the principle, but most of them desire to be allowed some latitude in enforcing it. There are certain schemes of an educative character which cannot be put on a contributory basis. Again, it is represented that the poorest and most distressed areas may be unable to make any contribution. It has been suggested that where works constructed from the grant are to be maintained by local boards or village authorities, a considerable local contribution is in effect involved, and also that the condition should be regarded as satisfied if the contribution is made by philanthropists, district boards, or public associations. The Government of India feel that while contributions by persons other than the villager himself help to make the grants go much further than they otherwise would, they do nothing to evoke his active interest and co-operation. The Government of India attach the greatest importance to the villager's contribution and are exceedingly reluctant to admit any widespread relaxation of the contributory principle. They do not see why, even

in needy areas, free labour at least should not be forthcoming. At the same time they recognise that certain schemes desirable in themselves do not admit of the application of the principle and for such schemes, which should not ordinarily account for more than 20 per cent. of the grant, they agree that the condition may be waived.

5. The fourth condition was that in the absence of special reasons, there should, wherever the nature of the scheme admits, be the maximum degree of delegation to the district officer; and that central control should not ordinarily go beyond a clear definition of the objects of expenditure, periodic inspection and review of the reported results, leaving complete freedom of initiative to the district officers. Apart from local variations in the machinery for inspection and review, there has on the whole been no difficulty in the acceptance of this condition excepting one province, which is being addressed separately on the subject.

6. Finally, the Government of India intended that the bulk of the grants (say, 80 per cent.) should be the districts on the rural popular basis, the remainder to be available for allocation to specially needy district, or possibly to special local schemes. Several provinces even found it difficult to accept this condition in respect of as much as 80 per cent. of grant. It has been pointed out that it is precisely the thinly populated districts with poor natural resources that are most in need of help and it has been suggested the proportion distributable on the basis of rural population should be reduced to two-thirds of the grant. The Government of India are prepared to accept this modification, which they trust will go a long way to meet the difficulties which have been described.

7. The Government of India will be glad to receive by the end of August and February consolidated reports reviewing the progress of the schemes in the provinces as a whole for the half-years ending 30th June and 31st December, respectively I am to ask that local Government will take steps to ensure the punctual submission of the

reports on these dates, so that the Government of India may be in a position to present a review of progress to the Legislature during its two sessions.

8. The Government of India do not intend to place further funds at the disposal of the local Governments so long as the latter still have in their hands funds sufficient to enable them to prosecute their schemes. Further allotments will be made as and when funds are required for expenditure. It will be convenient if local Government indicate their probable requirements against each scheme for six months at a time, and I am to request that this information may now be supplied.

1945

- (1) **Make a precis of the following correspondence.**
- (2) **Prepare the draft mentioned in the note below the correspondence.**

Serial No 1—MEMORANDUM FROM THE UNDER SECRETARY TO GOVERNMENT, APPOINTMENT DEPARTMENT, TO THE POLITICAL, FINANCE, EDUCATION, AND DEVELOPMENT (EDUCATION BRANCH) EDUCATION AND DEVELOPMENT (DEVELOPMENT BRANCH), REVENUE, REVENUE (COMMERCE), LEGISLATIVE, JUDICIAL, PUBLIC WORKS AND IRRIGATION DEPARTMENTS, NO. 1772-81-A.R., DATED THE 10TH JUNE, 1933.

The undersigned is directed to forward for information a copy of the draft rules which have been provisionally framed by Appointment Department under rule 54 of the Civil Services (Classification, Control and Appeal), Rules to regulate the discipline and appeals of members of the subordinate services under the control of Government and to request that any comments which the.....Department wish to make regarding the rules may be communicated at an early date. The attention of the.....Department is specially drawn to the inclusion of 'fine' as one of the penalties which may be imposed on members of subordinate services [see rule 1(V)]. Their views are particularly requested as to what limitation should be placed on the power to impose this punishment.

Draft rules framed under rule 54 of the Civil Services (Classification, Control and Appeal) rules to regulate the discipline and appeals of members of the subordinate services under the control of Government.

1. The following penalties may, for good and sufficient reasons, be imposed upon any member of subordinate services, viz.—

- (i) Censure.
- (ii) Withholding of increments or promotion, including stoppage at an efficiency bar.
- (iii) Reduction to lower post or time scale or to a lower stage in a time-scale.
- (iv) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of order.
- (v) Fine.
- (vi) Suspension.
- (vii) Removal from the Civil Service of the Crown, which does not disqualify from future employment.
- (viii) Dismissal from the Civil Service of the Crown, which ordinarily disqualifies from future employment.

Provided that, except in cases where provision is made in a statute, the penalty or fine shall not be inflicted on such members of Subordinate services (other than menials and inferior servants) as were in service on the 27th May 1930.

*Explanation :—*The discharge:—

- (a) of a person appointed on probation, during the period of probation,
- (b) of a person appointed, otherwise than under contract, to hold a temporary appointment, on the expiration of the period of the appointment,

- (c) of a person engaged under contract, in accordance with the terms of his contract,

does not amount to removal or dismissal within the meaning of this rule.

Note.—For the procedure to be followed before an order of dismissal, removal or reduction can be passed, see rule 55 of the Civil Services (Classification, Control and Appeal) Rules, in drawing up proceedings and conducting departmental enquiries, the instructions contained in the rules, which are reproduced in the Appendix to these rules, are to be followed except where more detailed instructions have been framed by the Department concerned.

2. Subject to the provisions of any rules or orders which are in force at the time these rules come into operation, heads of departments and heads of offices may impose any of the penalties mentioned in rule 1 upon members of subordinate services serving under them, whome they have power to appoint.

3. Every member of a subordinate service (including temporary Government servants and officers on probation) shall be entitled to appeal to the authority immediately superior to an authority which passed an order—

- (a) imposing upon him any of the penalties specified in rule 1;
- (b) terminating his appointment otherwise than on the expiry of the period of his appointment and on his reaching the age of superannuation.

4. No appeal as of right shall lie against an order declining to give an appointment or promotion to a particular individual, or affecting a transfer or an extension of service.

5. In the case of an appeal against an order imposing any penalty specified in rule 1 or rule 2, the appellate authority shall consider—

- (a) whether the facts on which the order was

- based have been established;
- (b) whether the facts established afford sufficient ground for taking action; and
 - (c) whether the penalty is excessive, adequate; inadequate;

and after such consideration shall pass such orders as it thinks proper.

6. The authority from whose order an appeal is preferred under these rules shall give effect to any order made by the appellate authority.

7. Every Government servant preferring an appeal shall do so separately and in his own name.

8. Every appeal preferred under these rules shall contain all material statements and arguments relied on by the appellant, shall contain no disrespectful or improper language and shall be complete in itself. Every such appeal shall be submitted through the head of the office to which the appellant belongs or belonged and through the authority from whose order the appeal is preferred and shall be accompanied by a copy of the orders appealed against.

9. An appeal may be withheld if -

- (1) it is an appeal in the case in which no appeal lies under these rules; or
- (2) it does not comply with the provisions of rule 8; or,
- (3) it is not preferred within one month after the date on which the appellant was informed of the order appealed against, and no reasonable cause is shown for the delay, or appeal
- (4) it is a repetition of a previous and is made to the same appellate authority by which such appeal has been decided, and no new facts or circumstances are adduced which afford grounds for a reconsideration of the case ;

Provided that in every case in which an appeal is withheld the appellant shall be informed of the fact and the reason for it.

Provided also that an appeal withheld on account only of a failure to comply with the provisions of rule 8 may be re-submitted at any time within one month of the date on which the appellant has been informed of the withholding of the appeal, and such appeal shall not be withheld if it is resubmitted in a form which complies with these provisions.

10. No appeal shall lie against the withholding of an appeal by a competent authority.

11. Nothing in these rules shall operate to deprive any person of any right of appeal which he would otherwise have had if these rules had not been made in respect of any order passed before they came into force. An appeal pending at the time when, or preferred after these rules come into force shall be deemed to be an appeal under these rules, and rules 5 and 6 shall apply as if the appeal were one against an order appealable under these rules.

Serial No. 2—MEMORANDUM FROM THE SECRETARY TO GOVERNMENT, IRRIGATION DEPARTMENT TO THE APPOINTMENT DEPARTMENT, NO. 799-ER-XVIR-6 OF 1933, DATED THE 3RD JULY 1933.

With reference to memo. No. 1772-81-A.R. dated the 10th June, 1933, from the Appointment Department, the undersigned is directed to say that the Irrigation Department has no comments to make on the draft rules except to point out that the introduction of a "fine" as a punishment appears to go contrary to the orders of the Government of India as contained in Home Department Circular No. 375-84, dated the 26th June, 1900, *vide* appendix III in Volume II of the Secretariat Instructions, 1914.

Serial No. 3—MEMORANDUM FROM THE UNDER SECRETARY TO GOVERNMENT, POLITICAL DEPARTMENT, TO THE APPOINTMENT DEPARTMENT, NO. 1580-PR., DATED THE 4TH JULY 1933.

SUBJECT.—Draft rules framed under rule 54 of the Civil Service (Classification, Control and Appeal) Rules, 1930, to regulate the discipline and appeals of members of the subordinate services under the control of Government.

With reference to memo No. 1772-81.AR. dated the 10th June 1933, from the Appointment Department, the undersigned is directed to say that the rules in Chapter XXV of the Police Manual to regulate the discipline and appeals of members of the subordinate services of the Police Department have been framed under the Police Act of 1861 (Act V of 1861). The application of the rules framed under rule 54 of the Civil Services (Classification, Control and Appeal) Rules, 1930, to the subordinate ranks of the police is therefore excluded by rule 3 (a) of the Civil Services (Classification, Control and Appeal) Rules, 1930 and the Political Department suggest that note to this effect may be added to the heading of the rules in question.

Serial No. 4—MEMORANDUM FROM THE SECRETARY TO GOVERNMENT, EDUCATION AND DEVELOPMENT DEPARTMENT TO THE APPOINTMENT DEPARTMENT, NO. 589-ER, DATED THE 22ND JULY 1933.

The undersigned is directed to refer to memo. No. 1772-81-AR., dated the 10th June 1933, and to say that the Education and Development Department agree with the unanimous opinion expressed by Heads of Departments against the imposition of fines on members of subordinate services.

2. In case, however, it is decided to include "fine" as one of the Penalties, Education and Development Department would suggest maximum limit of one month's Pay in respect of fines imposed in any one financial year.

3. Education and Development Department would also suggest the extension of the period for appeal from one month to six months or, at any rate to three months.

Serial No. 5.—MEMORANDUM FROM THE OFFICIATING SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, TO THE APPOINTMENT DEPARTMENT, NO. 1661-F.R., DATED THE 15TH JULY, 1933.

With reference to the memo. from the Appointment Department No. 1772-81 AR., dated the 10th June 1933 the undersigned is directed to make the following comments on the draft rules appended thereto :—

Rule 1. (v)—There are occasions (especially in the case of menial establishment) in which a fine may be a more suitable penalty than any other, but it seems desirable that formal departmental proceedings should be drawn up as in the case of dismissal, removal or reduction, before a punishment of fine is inflicted. It seems also desirable that a limit of fine should be fixed at a certain percentage of pay. If the punishment of fine is retained, executive instructions would be necessary laying down the conditions that should be satisfied before a fine is inflicted and it should also be laid down that gazetted officers in subordinate services should under no circumstances be fined.

Rule 3.—The explanatory memorandum for rule 54 of the Civil Services (Classification, Control and Appeal) Rules makes it clear that the Local Government can make a rule which would enable it or an authority to which the power is delegated to call for the proceedings in any case even when no appeal lies or no appeal is preferred and to pass orders as may seem fit. The desirability of framing such a rule may be considered.

Rule 4.—As withholding of promotion is a punishment under rule 1 (ii), it should be made clear that this rule does not deprive a Government servant of a right of appeal in such cases.

Rule No. 5.—The reference to rule 2 is not understood. That rule does not specify any penalty but merely says which authority may impose punishment.

Rule 9.—It should be made clear which authority has power to withhold an appeal. It should presumably be the authority against whose order the appeal is made and not the head of the office.

Rule 9, clause 3.—The period of appeal as given in rule 180 (b) of the Board's Rules is 6 months. The same period is prescribed in Classification Rule 64 (3). The period of one month for appeal proposed in this clause is rather too short. Finance Department would suggest that the period be extended to two months. But a rule curtailing the existing period of six months will affect adversely Government servants who were in service on the 27th May 1930. The sanction of the Secretary of State in Council under Classification Rule 9 (1) appears necessary if it is intended to make the rule applicable to those who were in service on the date mentioned.

Rule 10.—As Classification Rule 65 is being adopted it is fair to adopt also Classification rule 67 and prescribe that quarterly returns of appeals withheld should be submitted to the authority to which the appeal was addressed.

Serial No. 6.—MEMORANDUM FROM THE SECRETARY TO GOVERNMENT, PUBLIC WORKS DEPARTMENT, TO THE APPOINTMENT DEPARTMENT, NO. 2803-VIIIIR-23 OF 1922-ER, DATED THE 5TH AUGUST 1933.

SUBJECT.—*Draft rules to regulate the discipline and appeals of members of the subordinate Services.*

With reference to memo. No. 1762-81 AR, Dated the 10th June, 1933 from the Appointment Department, the undersigned is directed to say as follows :—

Rule 3 (b).—The word "and" seems to be misprint for "or."

Rule. 5.—The words "or rule 2" appear to be redundant as no penalty is specified in rule 2.

Rule 9 (3).—One month for an original appeal is too short a time. Rule 64 (3) of the Civil Services (Classification, Control and Appeal), Rules gives six months time for submitting an appeal and one month for re-submitting an appeal withheld under rule 63.

2. Under the existing orders fine is imposed on temporary clerks and menials (*vide* paragraph 42 of the Secretariat Instructions) and also on artificers and workmen (*vide* paragraph 46 of the Public Works Department Code). The penalty of fine should not be imposed on Sub-Engineers of the Upper Subordinate Establishment of the Public Works Department although this establishment has been shown under General Subordinate Service in the list of miscellaneous posts forwarded to the Appointment Department with memo. No. 1062-ER, dated the 16th June 1933, from this Department, as they are gazetted officers.

It is not clear with kind of limitation is proposed to be placed on the power to impose fine. Whether any money limit is intended to be fixed or the nature of offences to which fine should be limited should be defined.

Serial No. 7.—MEMORANDUM BY THE DEPUTY SECRETARY TO GOVERNMENT, LEGISLATIVE DEPARTMENT, TO THE APPOINTMENT DEPARTMENT, NO. 381-LEG.R., DATED THE 17TH SEPTEMBER 1933.

With reference to memo. No. 1772-81-AR., dated the 10th June 1933 from the Appointments Department, the Legislative Department have to state as follow :—

1. It is assumed that rules have been issued by the local Government under rule 20 of the Classification Rules classifying Government servants into Subordinate Services. If not, such rules should be issued before the draft rules are brought into force.

2. *Rule 1.*—In the opening part of the rule, it will be better to substitute for the words "Subordinate Services," the words "a subordinate Service."

As regards the imposition of a fine, Legislative Department feel some difficulty in suggesting the limitations to which this power should be subject, as the rules do not give any indication of the cases in which the various penalties should be imposed. It would be difficult to attempt to specify the cases in which the punishment of fine should be imposed as this would involve as a necessary corollary a specification of the circumstances in which other penalties could be imposed. Members of the Subordinate Services undoubtedly feel that the imposition of the penalty of fine suggests that they are being reduced to the same level as menial servants on whom alone this penalty could hitherto be imposed. The proviso to rule 1 considerably lessens the force of this argument in the case of the existing members of the Subordinate services. It is possible, however, that even future members will consider it somewhat derogatory to be placed on the same level as menials. Legislative Department would therefore suggest that executive instructions may be issued defining even generally, the cases in which fine should be imposed.

As regards the limitations to be imposed on the penalty by fine, Legislative Department consider that some maximum limit should be fixed. It is difficult to suggest any fixed limit and Legislative Department consider that the maximum should be half a month's or one month's pay.

It should also be specifically provided that a fine if imposed should be recovered in instalments not exceeding one-twelfth of the monthly salary.

3. *Rule 3.*—For the words "an authority which passed" the words "the authority which passed" should be substituted.

4. *Rule 5.*—The reference to rule 2 in this rule seems to be unnecessary.

5. *Rule 9.*—The period of one month for filing an appeal might in certain circumstances be too short. It is suggested that a period of two months should be allowed.

The second proviso to this rule allows period of one month in which to remove any defects contained in an appeal and if one month is allowed merely for correction of a defective petition of appeal, it seems only fair to allow more than one month for preparing the original appeal.

6. *Rule 10.*—It is necessary to prescribe the authority which can withhold an appeal. (See e.g. rule 14 of the Government of India Rules).

Serial No. 8.—MEMORANDUM FROM THE SECRETARY TO GOVERNMENT, JUDICIAL DEPARTMENT, TO THE APPOINTMENT DEPARTMENT, NO. 2969-E. 71-JR., DATED THE 27TH OCTOBER 1933.

SUBJECT.—*Draft rules under rule 54 of the Civil Services (Classification, Control and Appeal) Rules to regulate the discipline and appeals of members of the subordinate services under the control of Government.*

The undersigned is directed to reply to memo. No. 1771-81-AR, Dated the 10 June 1933 from Government in the Appointment Department as follows :—

2. Under clause 6 of the Letters Patent of the High Court the Chief Justice is empowered, subject to any rules and restrictions which may be prescribed from time to time by the Governor in council, to appoint ministerial officers for the Court. On general principles the powers to appoint may be taken to include the power to dismiss and to regulate the conditions of employment. In view of the provisions of section 106 of the Government of India Act the High Court ministerial officers are within the meaning of rule 3 (a) of the Civil Services (Classification, Control and Appeal) Rules, persons for whose appointment and conditions of employment special provision is made under a law, consequently the local Government have no power to make rules under rule 54 applicable to them.

3. In view of section 60 (c) of the Prisons Act, 1894, Government have no legal power to make rules under rule 54 for Jails officer.

4. If the rules are issued without any explanatory note there is a likelihood of confusion and a possibility of misunderstanding between Government and the High Court. Judicial Department therefore recommended that the rules should show clearly on the face of them that they do not apply to the ministerial officers of the High Court or to Jails officers.

5. In respect of the services to which these rules can legally apply Judicial Department consider the rules generally suitable. They regard it as unfortunate that an appeal should lie against an order inflicting punishments, Nos. (i) and (ii), but in view of rule 54 this appears to be inevitable.

7. The chief objection to the punishment of fine is that indiscreet subordinate officers sometimes inflict the penalty without adequate consideration of the nature of the fault and the weight of the penalty. Since the rules purpose to allow an appeal against every order of fine the objection will vanish and Judicial Department do not think it necessary to prescribe any limitations.

(NOTE IN THE APPOINTMENT DEPARTMENT)

We might now inform the the various departments of the modifications in the draft rules which Government are making in the light of the suggestions made by the Legislative Department, in their memo. No. 381-L.E.G.R. dated the 17th September 1933. We are separately taking action for classifying under rule 20 of the Classification Rules, the Subordinate Services. We might also point out (in view of the Political Department memo. No. 1580-PR, dated the 4th July 1933 and the Judicial Department memo. No. 2669-E-71-JR., dated the 27th October 1933, that it will be made clear when the rules in the final form are published that the rules will not apply to persons for whose appointment and conditions of employment special provision is made by or under any law for the time being in force. Will Under Secretary please prepare a draft ?

1946

- (1) Make a precis of the following correspondence.
- (2) Prepare the draft mentioned in the note below the correspondence.

Serial No. I—2 (76)-F/44, NEW DELHI, THE 24TH APRIL 1945, FROM GOVERNMENT OF INDIA, FINANCE DEPARTMENT TO ALL PROVINCIAL GOVERNMENTS.

SUBJECT:—Decimalization of Coinage.

I am directed to say that it has been suggested to the Government of India that the opportunity afforded by the reminting of the coinage which may be rendered necessary after the war should be taken advantage of to decimalize the coinage system of the country. The decimal system of coinage has gradually displaced all other forms in most of the countries in the world, India, Great Britain and certain Empire countries being the chief exceptions; and it is suggested that its advantages, such as simplification of accounting and facility of calculation, are such as to render desirable its adoption in India.

2. The proposal is that, like the Ceylon Rupee, the Indian should be divided not into 192 pies but into 100 cents. The present rupee, half rupee and quarter rupee coins would remain but the lower denominations would be replaced by coins of the value of 10, 5, 2 and 1 cents with possibly a $\frac{1}{2}$ cent. coin. While the present series of coins of low denomination were being withdrawn and during the period of transition, the two sets of coin would circulate side by side prices being expressed either in one or the other or in both.

3. As the process of change must necessarily be difficult the Government of India do not intend to take any step in this direction unless they are confident of public support and I am to request you to favour this Government with the views of your Government on the proposal

set forth in greater detail in the accompanying memorandum after consulting public opinion in your Province.

Sd.

Jl. Secretary to the Government of India.

No. F. 2 (76) F/44.

Copy forwarded to the Auditor General of India with the request that his views may please be communicated to the Finance Department.

By order etc.

K. N. K.

*Under Secretary to the Government of India.
Memorandum Explanatory of the proposal to introduce
a decimal system of coinage in India.*

1. Opportunity for changing the existing system.

The new series of the two-anna, one-anna, half anna, and pie pieces at present circulating in the country were introduced in 1942 as a war time measure in order to cope with the greatly increased demand for small coin, the short supply of nickel and tin, and the problem of hoarding. The design of the pice with the central hole has, however, not been a success and the nickel brass alloy used for minting the other coins referred to has proved to be unpopular. Not only does the use of this alloy involve a disproportionate waste of metal in the process of manufacture but the coins minted therefrom tarnish badly in circulation; moreover, due to the universal domestic use of brass throughout India, this alloy is unrivalled for the ease with which it can be used for counterfeiting. The Government of India have, therefore, decided that as soon as conditions permit, the nickle brass alloy should be replaced by the pre-war cupro-nickle alloy and a piece of new design should be used. When, after the end of the war, sufficient supplies of nickle become available a huge re-coinage programme will consequently have necessarily to be undertaken

and a unique opportunity will then be presented to undertake any other reform of the subsidiary coinage that might be considered desirable in the public interest.

2. Proposal for decimaization.

It has been suggested to Government that advantage should be taken of this opportunity to introduce decimal system of coinage, under which the Indian rupee would be divided not into 192 pies but into 100 cents as follows :—

1 Rupee corresponding to the existing Rupee.

50 cent	"	"	"	$\frac{1}{2}$ Rupee.	
25 cents	"	"	"	$\frac{1}{4}$ Rupee.	
10 cents	{	Cupronickel ("shaped" coins)			{ to replace the ex- isting coins below the value of $\frac{1}{4}$ Re.
5 "					
2 "					
1 "					
$\frac{1}{2}$ "	{ Bronze coins (possibly)			{	

This division has been suggested on the lines of the existing Ceylon coinage, in that the rupee would remain unaltered and the half-Rupee and the quarter-Rupee would retain their present shape, size, weight and metal content, but would be issued as 50 cent and 25 cent. coins. The existing 2 anna, 1 anna, half anna, and pice pieces would however, have no counterpart in the new system and their recoinage would not be undertaken.

3. Advantages of the proposed system.

The present coinage system whereunder the rupee is divided into 16 annas and each anna is divided into 12 pies is by no means ideal for purposes of calculation and accounting. The basis for the suggestion now made is that modern trade and commerce demand quick and simple methods of computation and that in this respect there is nothing to compete with the decimal system, as evidenced by the fact that it has gradually displaced all other forms in most countries of the world (India, Great Britain and certain Empire countries

being the most important exceptions). To give a few examples, Ceylon, China, Iraq, Palestine, Malaya, the Netherlands East Indies and Thailand all now have a decimal coinage and it is arguable that India too should fall into line with the modern practice that has found such general favour.

4. Difficulties in the way of the introduction of decimal coinage.

(a) It is, of course, realised that the introduction of a new system of coinage in India is likely to have adverse reactions in the initial stages. First and foremost, the existing form carries with it the sanction of time and tradition and the change proposed might well be opposed by certain section of the public on grounds of sentiment. It will be apparent, however, that it is not proposed to interfere with the rupee itself, that the $\frac{1}{2}$ and $\frac{1}{4}$ Rupee coins, will remain as they are, with only a new nomenclature, and that the basis of the coinage system will therefore remain intact.

(b) There will be a period of some years during which both the present and new types of small coins below a quarter rupee in value will be in circulation simultaneously. This is inevitable due to the very large number of such coins that must be minted before the present series could be declared as uncurrent. The table below gives, in respect of the denominations below 4 annas in value, the proposed coinage, the existing coinage and the value in the proposed coinage of the existing coinage.

Existing Coinage.	Proposed Coinage.	Value of existing coinage in proposed coinage.
As. 2	10 cents.	12.5 cents.
As. 1	5 cents.	6.25 cents.
1 Pice	2 cents.	1.5625 cents.
1 Pie	{ 1 cent. ½ cent.	5208 cents.

For such time as the two series circulate side by side it is proposed that printed slips should freely be distributed setting forth the relation between the two varieties.

(c) The adoption of such a system would, of course, have repercussions of the widest character since all rates and prices quoted on the basis of the present system would have to be adopted to the changed conditions ; causing considerable initial inconvenience to the public and additional work all round in the matter of fixation of new rates and fresh issues of postage stamps, railway tickets, etc. The adaptation can, however, be effected simultaneously and *pari passu* with the process of introducing the new coinage, and the probable confusion in the transition period would to some extent be mitigated by a wide distribution of the slips of paper mentioned above setting forth the arithmetical relation between the two types of coinage.

5. Conclusion.

The initial difficulties involved, however, are inherent in any radical change in the coinage and must be faced if India desires to have the advantages of a simplified and rational system of coinage that it is possible to overcome the difficulties inherent in a change over from one system of coinage to another even in countries where the level of education is low and population generally backward is evidenced from the dates that Russia (1,839 and 1,897) and Japan (1,871) went over to the new system, no less than by the fact that most countries have adopted the modern forms. A similar opportunity for the modernisation of the coinage of India is not likely to recur and there can be no better time to effect this alteration than in the early post war period. But the Government of India would not desire to embark on a scheme of this nature in anticipation of public approval and support, and therefore invite sections of the public to express themselves on the proposal.

The necessity for deciding the issue now is, however, urgent since the mints must be given adequate time to make all preparations for implementing the decision as soon as possible after the end of the war.

Serial No. 2.—NO. 366-ADMN./III-45, DATED THE 22ND MAY 1945.

A copy of the undermentioned paper is forwarded to all Accountants General and Comptrollers, the Director of Railway Audit and the Chief Controller of Supply Accounts with the request that they should please examine the scheme in its different aspects particularly from the point of view of accounting and communicate their views to the Auditor General at an early date to enable him to formulate his own views in the matter.

R. R.

Assistant Auditor General.

Government of India, Finance Department letter No. F. 2(76)-F./44, dated the 24-4-1945 regarding the decimalization of the coinage under which Indian rupee should be divided into 100 cents. and not 192 pies.

Serial No. 3.—NO. TM. 37-272-773, DATED THE 8TH JUNE 1945, FROM THE ACCOUNTANT GENERAL, BIHAR, TO THE AUDITOR GENERAL OF INDIA, SIMLA.

SUBJECT :—*Decimalization of the coinage.*

With reference to your Memo. No. 366-Adm./III-45, dated the 22nd May 1945 on the subject noted above, I have the honour to observe as follows :—

(1) The proposed system will undoubtedly provide greater facilities for purposes of calculation and accounting.

(2) In the initial stages when, both the present and new types of small coins below a quarter rupee in value will simultaneously be in circulation, difficulties will be

experienced in accounting particularly by those responsible for the maintenance of initial accounts. But these can be circumvented by a wide distribution of slips of paper referred to in para. 4(c) of the Memorandum forwarded with Government of India, Finance Department letter No. F. 2 (76)-F./44, dated the 24th April 1945.

(3) The scheme may be given effect to from the beginning of any financial year.

(4) Acts, rules, etc., in which sums including annas, pies, etc., are mentioned will require amendment.

(5) It may be considered whether it will be necessary to coin half cent, whose value is less than a pie.

Serial No. 4.—NO. COMP.-6 (4)-600, DATED THE 12TH JUNE 1945, FROM THE CHIEF CONTROLLER OF SUPPLY ACCOUNTS, TO THE AUDITOR GENERAL OF INDIA, SIMLA.

SUBJECT :—Proposal to introduce decimal system of coinage in India.

I have the honour to invite a reference to Auditor General's Memo. No. 366-Admn. III-45, dated the 22nd May 1945 and to indicate below how the decimal system of coinage will affect the Supply Accounts Offices.

I.—Expenditure.—The items of expenditure in Supply Account Offices consist mainly of (a) payment of contractors bill (b) payment of pay, allowances and other charges of the Supply Department. In the case of (a) above, payment are made in whole rupees, fractions of a rupee below annas eight being neglected and those of annas eight and above being taken as a whole rupee. There will thus be no difficulty with the new coinage. The rates in the current contracts expressed in annas and pies will continue to be in force for some time, after the introduction of the new coinage till the contracts expire or they are renewed. There will, however, be no difficulty in making payments during the transition period.

since these will be in whole rupees. As regards (b), payments are made either to the nearest annas or the nearest pies—*vide* Rule 789 of the Central Treasury Rules. With the introduction of cents the payments will be made to the nearest cents according to the orders which may be issued in this connection and no difficulty is anticipated in these cases also.

II.—Receipts—The receipts of the Supply Department take the form of (a) book adjustment of charges levied by the Department for its services and (b) cash receipts collected at treasuries. In regard to (a) the charges are recovered at a percentage rate fixed for the purpose and the decimals of a rupee are converted to annas. With the introduction of cents the calculation will be simpler since the process of conversion of decimals of a rupee into annas will be eliminated. As regards (b), the credits appear in Exchange accounts. There will be cases in which the amounts collected at treasuries in annas, and pies prior to introduction of the new system of coinage will be credited to the Supply Accounts officers after its introduction. In such cases either the Account officer passing on the credit or the Supply Account officer will have to convert annas and pies into cents.

III.—Debt, Deposit, and Remittance heads.—After the introduction of the new system of coinage balances under the Debt Heads expressed in annas and pies will require conversion before they are brought over to the subsequent accounts.

IV.—Compilation of Accounts—The compilation of accounts in Supply Accounts offices is done as follows:

(a) Classified Abstract of contractors bills by Accounting Machines (b) other classified Abstracts, D. B. and consolidated Abstracts—manually. Regarding (a), the mechanical device is that simultaneously with the posting of each voucher the totalizer fitted to the machine records the total and after all the vouchers have been posted the machine on pressing a key, posts the total of

all vouchers. The totalizers express the figures in rupees, annas, and pies. On the introduction of the new coinage the totalizers will require replacement by new ones expressing the figures in rupees and cents. If this is not possible or it takes time, very great inconvenience will be experienced. As regards (b) there will be some saving, since the adding up of the money columns in rupees and cents. will be easier than the ones having rupees, annas, and pies.

V.—*Cheque writing and calculating machines.*—Cheques in Supply Accounts Offices are drawn up by machines. The drawing of cheques and posting of the Register of payments are done in one operation. The totalizer fitted to the machines records the total of all cheques drawn in that register on pressing a key. For the reason stated the totalizers have to be replaced. There are also calculating machines which express the result of calculation in rupees, annas, and pies. These will have to be replaced by machines recording the result by rupees and cents. The replacement of totalizers and machines will have to be arranged for simultaneously with the introduction of the new scheme.

Serial—No. 5.—NO. BK/664, DATED 20TH JUNE 1945,
FROM THE ACCOUNTANT GENERAL, CENTRAL
PROVINCES AND BERAR, TO THE AUDITOR GENERAL
OF INDIA, SIMLA.

SUBJECT :—*Decimalization of the Coinage.*

I have the honour to invite a reference to your endorsement No. 366-Adm. III-45. dated 22nd May 1945 forwarding a copy of the Government of India, Finance Department letter No. F-2 (76)-F/44, dated the 24th April 1945 on the subject cited above and to state as follows :—

2. It is presumed that with effect from the date of introduction of the new coins almost all Government accounts will be kept in those denominations. It will be convenient if the change over is given effect to from the beginning of a financial year.

3. So far as treasuries and sub-treasuries are concerned arrangements will have to be made to supply them on the 1st April of the year of introduction new coins in exchange for old coins included in the treasury and sub-treasury cash balance on the previous date. To attain this subject it will be necessary to keep requisite stocks of new coins in small coins depots (which are the property of the Reserve Bank of India) or in separate "Exchange depots or counters" to be opened in each treasury, sub-treasury, or post office. If this is done treasuries and sub-treasuries will, as explained below (*vide* paragraphs 6 and 7) conduct transactions in the new coins only after the date of introduction of these coins and maintain accounts accordingly (the services of stamp vendors may perhaps be utilised in addition to facilitate exchanges).

4. In the accounts of small coins submitted to Account offices, however, both new and old coins will appear so long as the latter are not ultimately sent to the Mint. The value of old coins will be converted into new coins and entered under the new denomination in the accounts maintained in Account Offices.

5. Opening balances under the several Debt and Remittance heads which are closed to balance will have to be converted into new denominations before entering them in the ledger.

6. Drawing and disbursing officers of Government may transact their business in new coins, amounts fixed in annas and pies being converted into cents.

7. As regards payments of dues into Government treasury or sub-treasury depositors may perhaps be instructed first to exchange their old coins for new coins at "Exchange depots or counters" and pay the amount in new coins only. The public may not find the exchange irksome as the exchange depots or counters will be located in treasuries, sub-treasuries, and post offices where there are also stamp vendors. In chalans, the amount should be expressed in new coins and also in old coins if so required by Provincial Government concerned.

8. As it will be inconvenient to maintain accounts of the amounts in new coins in pay, pension, and contingent bills, and claims by Government are converted to more than two places of decimals of a rupee, it is suggested that the amounts in new coins may be expressed to the nearest whole cent. Similiar conversion may also be effected in the case of transactions referred to in paras 4 to 7 above.

9. A period may be fixed (say two or three years) after which annas 2, anna 1, 1 pice and 1 pie will be received at 12, 6, 1.5 and .5 cents respectively. If these rates are adopted conversion work will be much simplified and withdrawal of old coins accelerated.

10. There will be no difficulty in using the existing forms of accounts as columns intended for annas and pies can easily be utilised for noting cents expressed as decimals of a rupee.

Serial No. 6.—No. C-15-15-AG. (CD) 50, DATED 25TH JUNE 1945, FROM THE A. G. C. R., TO THE AUDITOR GENERAL OF INDIA, SIMLA.

SUBJECT :—Decimalization of the Coinage.

With reference to your endorsement No. 366-Admn./ III-45, dated the 22nd May 1945 on a copy of the Government of India, Finance Department letter No. F2. (76)-F/44, dated, the 24-4-45, on the subject, inviting my views on the proposed change, I have the honour to state that the introduction of the decimal system of coinage will undoubtedly be a big step forward towards quick and simple methods of computation and accounting, but full advantage of the system can be secured, only if the decimal system is introduced simultaneously in weights and measures as well as lengths and volume.

2. The decimalization of the coinage will entail a radical change in the existing methods of calculation and accounting and, therefore, present the following difficulties in the initial stage :—

(i) It will require a revision of all rates and formulæ for calculations based on the existing system of

coinage and a recasting of tables and ready reckoners, for example, the tables etc. now in use for calculating Income tax, interest, exchange etc.

(ii) It will require a wholesale revision of all forms used in the Accounts Offices, treasuries and sub-treasuries showing money columns in Rs. as. p.

(iii) It will involve changes in the Resource and coinage operations of the Government of India.

(iv) During the transitional period when both the types of coins will be current, the accounts will have to be maintained either in Rs. as. ps. or Rs. and cents. In either case, the transactions in one kind of coins will have to be converted into the other kind and as such transactions are likely to be numerous for some time in the beginning, they will necessarily involve additional labour in treasury and account offices, until the new coins entirely replace the old coins, some years hence.

(v) As the conversion of existing coinage, into cents will naturally involve decimal figures even upto four places it is desirable that they should be rounded off to the nearest half cent, or one cent as may be considered suitable, in order to facilitate accounting and cash transactions.

**Serial No. 7.—No. T. M/371, DATED 2ND JULY 1945,
FROM THE COMPTROLLER ASSAM, TO THE AUDITOR
GENERAL OF INDIA, SIMLA.**

SUBJECT:—*Decimalization of Coinage.*

Kindly refer to your endorsement No. 366-Admn-/III 45 on the subject mentioned above. It appears that the necessity for any change in the existing system of currency has not been established. If however, the decimalization of the coinage is decided upon, no insurmountable difficulties in the maintenance of accounts is foreseen.

Serial No. 8.—No. T. M./2-1/1513, DATED 3RD AUGUST 1945. THE ACCOUNTANT GENERAL, PUNJAB, TO THE AUDITOR GENERAL OF INDIA, SIMLA.

SUBJECT :—*Decimalization of the Coinage.*

With reference to your endorsement No. 366 Admn./III-45, dated 22-5-45, to the address of all the Accountants General, etc., inviting their views on the scheme of decimalization of the coinage in its different aspects, particularly from the point of view of accounting, I have the honour to give below my views on the subject.

2. The proposed system has the obvious advantage of simplification of accounting and facility of calculations. The various processes of addition, subtraction, multiplication, and division, working out of percentage etc., will be appreciably simplified as the new system provides quicker and simpler method of computation.

3. The main argument in favour of the continuation of present system is that the division of the present rupee into 16 annas corresponding to the division of the seer into 16 chhataks enables prices to be worked out more quickly than would be the case under the new system. This advantage can, however, be retained by dividing the seer into 100 tolas instead of 80 tolas as at present.

4. Although the new system will simplify accounts, it will entail additional work in the initial stages of its introduction, especially in the offices where initial accounts are kept. The balances with the various disbursing officers at the time of the introduction of the new system will have to be converted into the new coinage. The outstanding balances under the various Debt, Deposit, and Remittance heads both in the Accounts offices and in the offices keeping initial accounts will have similarly to be converted.

5. In order to minimise this additional work, it is understood that the new coins will be brought into use

with effect from the beginning of a financial year and that on the introduction of the new coins all claims against Government will be due, preferred, and paid in terms of the new coins. Similarly payments to Government will become due only in cents though treasuries and other Government offices will continue to receive them both in old and new coins till the former are declared to be no longer legal tender. It is contemplated in para. 4 (b) of the Explanatory Memorandum on the scheme that both the present and the new type of small coins below a quarter rupee in value will be in circulation simultaneously for a period of some years. This will prolong the difficulties involved in the conversion of coins from one system to another. It would be distinctly advantageous to the public as well as to the accounting authorities to reduce this transitional period to the minimum say, 6 months. This can be achieved by introducing the scheme only when a sufficient quantity of the new coins has been minted and supplied to the treasuries and sub-treasuries, also by restricting the exchange of the old coins with the new ones to a limited period. At the same time the public should be encouraged to change old coins for new ones and if necessary, some pressure may as will be brought upon the public in this matter. It is also understood that like pies in the present system, half cent will be eliminated from public accounts. It will not perhaps be worth while to introduce half cent at all as it will hardly have any currency in the market.

6. A pie, under the new system being equivalent to 52083 cents; the process of conversion in case of certain balances containing odd pies will involve calculations upto five decimal places and till such time as the present coinage is completely withdrawn, the Government accounts will have to be kept upto five places of decimal—a complicated factor likely to result in errors of accounting. This can, however, be minimised for the treasuries and avoided in audit offices if the Government decide to keep accounts in whole cents only under

all heads of accounts and fractions of less than one cent are rounded off to the nearest figure.

7. In treasuries a good deal of difficulty will be experienced during the transition period, as they will have to deal with both kinds of coinage and in respects of receipt will have to keep accounts in terms of old and the new coins. Some difficulty will also have to be faced in converting payments due to Government in cents but which are actually made by the persons concerned in annas and pies. For such cases orders may be passed to round off the amounts in old coins—say to an anna in the present coinage. The dues of the Government will thus be rounded to complete cents and, if paid in old coins to the nearest anna in the old coins. Small differences between the daily book balances and actual cash balances in hand will also arise in certain cases on account of conversion of annas and pies into cents and receipt of Government dues in old coins. The treasuries will have to keep their initial books in cents but the amount when tendered in old coins will have to be noted in these coins too, side by side. The difference brought about in the totals in cents and that actually in hand will have to be taken to some new minor head "Loss or Gain" due to conversion.

8. Under certain debt heads, e.g., Revenue deposits, the number of unpaid deposit balances at each treasury would be large and the conversion of individual balances to the new coins would be too tedious. The Government might perhaps issue orders to convert only the total balances in such cases, the payment against individual deposits being made in round cents, leaving small differences representing fractions of cents to be adjusted after the present coins are completely withdrawn from circulation.

9. The difficulty regarding the adjustment and the conversion from the old to the new coins are not quite insurmountable. From the accounting point of view, there can be no objection to the system of coinage being

changed. It will bring India into line with most of the countries in the world.

Serial No. 9.—No. BB-719/AA-32-45, DATED, 14TH SEPTEMBER 1945, FROM THE ACCOUNTANT GENERAL, POST AND TELEGRAPHS TO THE AUDITOR GENERAL OF INDIA, SIMLA.

SUBJECT:—*Decimalization of the Coinage.*

Reference:—Your memo. No. 366-Admn-/III-45, dated the 22nd May 1945.

Initially the introduction of the decimal system will as anticipated by Government will be beset with difficulties and heavy expenditure as explained in para. 4 below will have to be incurred. Once the change over is complete and the circulation of pice and pie coins is withdrawn no difficulty in accounting ought to be experienced.

2. The following remarks on the proposal are offered: the change should be fixed 2 or 3 years ahead and during the years of transition, if any, when the two types of coins may remain in circulation the accounts should be rendered in decimal, the conversion being made at the office, making the cash transactions. There may be a loss or gain due to this conversion as well as that mentioned in para. 4 below and it seems that a new head corresponding to loss or gain by exchange may be required to be opened in the accounts for recording the effect of the conversions.

3. There is no doubt that the decimal system once introduced would lead to appreciable simplification of accounting work all over the country provided the existing weights and measures with which the Rupee and its fractions are intimately connected are also decimalised.

4. (i) Rates and tables fixed in annas and pies such as those of postage, Life Insurance premium, pie money and similar allowances will have to be refixed in cents

and stocks of Postal Orders, Postal Stationery and Postal Office Certificates etc., should be scrapped and new ones with values in Rupees and cents should be introduced. This will cause considerable expenditure.

(ii) As premia for life insurance are fixed in annas and pies and contracts on this basis have been entered with policy holders for the payment of the premia in annas monthly, legal advice has to be obtained if the existing contracts with the life insurance policy holders should be replaced by new contracts with rupees and cents or the existing rates of premium may be realised in new currency after conversion. The same question will arise regarding the payment of bonus of Post Office Certificate also.

(iii) The accounting machines used in this office and in the Branch Audit offices will require change as the totalisers are designed to indicate annas and pies and the cost involved is estimated to be about 1½ lakhs. The company will have to be apprised of the change sufficiently early so as to enable them to supply the new totalisers just before the change overtakes place.

(iv) The balances of Savings Bank, Defence Savings Bank and other debt heads which are carried over from year to year will have to be converted into the new currency. This will involve huge additional labour and extra staff.

5. It seems to me that before the introduction of the decimal system pies should be completely abolished from the Government Accounts. The pie is rarely used in India except for paying Government revenues and a rise in the standard of living within the last 40 years has made the pie a relic of old times. Again the introduction of ½ cent pice will complicate matters and lengthen the decimal points in accounts and thus render nugatory the advantages derived from the abolition of the existing system. Like the pie it would be too small a

coinage to be of any use in the rural economy of India of the present age and should not in my humble opinion be introduced at all.

Serial No. 10.—DY. NO. 1173, ADMN., DATED 10TH SEPTEMBER 1945, FROM THE DIRECTOR OF RAILWAY AUDIT, TO THE AUDITOR GENERAL OF INDIA, SIMLA.

SUBJECT :—*Decimalization of the Coinage.*

I have the honour to forward herewith a copy of the Railway Board's letter No. F-III-45/CN/(1), dated 18-8-45 to the Government of India, Finance Department, for information. As the Railway Board do not anticipate any difficulty in the decimalization of the coinage, I have no remarks to offer.

Copy of the Railway Board's letter No. F III-45 CN/(1), dated 18-8-45 to the Government of India, Finance Department.

SUBJECT :—*Decimalization of the Coinage.*

*Reference :—*Finance Department letter No. F2 (76) F/44, dated 24th April 1945.

The Railway Department (Railway Board) favour the proposal for the decimalization of the coinage. The opinions of the various Railway Administrations were invited and they generally favour the scheme in spite of the difficulties of the transition period.

Serial No. 11—T. M. 7-3/45-46/633, DATED THE 30TH JULY 1945, FROM THE ACCOUNTANT GENERAL, MADRAS, TO THE AUDITOR GENERAL OF INDIA, SIMLA.

SUBJECT.—*Decimalization of the Coinage.*

With reference to your endorsement No. 366 Admn. III-45, dated the 22nd May 1945 forwarding a copy of the Finance Department letter No. F2 (76) F-44, dated 24-4-45 on the subject noted above, I have the honour to furnish the following report.

2. The introduction of the new system of coinage will necessitate a revision of the forms of accounts kept in the accounts offices and treasuries and will result in the simplification of the detailed accounts in Government as well as private offices. It will also involve changes in the structure of accounting machines such as comptometers, etc. The compilation of the monthly civil Accounts, Finance and Revenue Accounts, Budget, Finance and Appropriation Accounts will not, however, be affected in any way as the figures in these compilations are shown only in Rupees. If, as I presume, the new system is introduced at the beginning of a financial year, the balances under the various Debt, Deposit and Remittance Heads at the close of the previous year will have to be carried forward after conversion into the new currency. As these balances have to be taken to the nearest cent, assuming that half cents will not appear in Government accounts, it may be necessary to obtain the acceptance of these balances in the new system before carrying them over to the new year. From an accounting point of view, therefore, I may state that I do not anticipate any difficulty in effecting the necessary changes on the introduction of the new scheme.

3. In paragraph 4 (b) of the explanatory memorandum it is stated that there will be a period of some years during which both the present and the proposed types of small coins below a quarter Rupee in value, will be in circulation simultaneously. This means that during transition period Government dues will be received at treasuries and other offices in the existing coinage and Government payments will also be similarly made, whenever there is a shortage of the new coins. Great difficulty is, therefore, likely to be experienced at treasuries, post offices and other Government offices as well as in private dealings, on account of the calculations to be made for conversions from the old to the new coins and *vice versa*. It would be preferable to avoid the use of the printed slips altogether and ensure ease and despatch in exchanging one series of coins for the other.

In the following paragraphs I am indicating a method to give effect to this and I have tried to meet possible objections to the method. This method with suitable variations may solve the main difficulty of the change over under present conditions. If my suggestion merits the approval of the Auditor General, it may perhaps be passed on to the Government of India.

4. It appears to me that if the existing pie and half pice pieces are declared uncurrent from the date of introduction of the new scheme, and that if the value of the pice is also fixed arbitrarily at 1.25 cents from that date, the public will in the interval return to Government not only the pie and the half pice pieces but also the pice coins in view of their reduction in value in relation to the Rupee. This will place in the hands of Government enough metal for minting the large number of new two cent and one cent coins which may be required for launching the scheme on the specified date. A sufficiently large number of new coins at the treasuries will ensure the payment of almost all Government dues in the new currency. A definite percentage of the pice pieces returned can be retained for purposes of conversion. The depreciation effected in the value of the pice will facilitate the ready conversion of the existing nickel-brass coins into the new decimal coinage and enable Government to give them at a later stage along with the new nickel 10 cent and 5 cent pieces for redeeming the existing two and one anna pieces.

5. If the value of the small coins returned from circulation in any year exceeds the value of small coins issued in that year, it will in any case result in a loss to the state. Declaration of half pice and pie pieces as uncurrent and depreciation of pice suggested by me to procure sufficient metal resources will no doubt augment the loss. Whatever the extent of this loss may be, it can be made good from the profits of future years if not from the profits from circulation of nickel, bronze, and copper coins held in suspense to the extent of over

5 crores. I may add that in addition to this amount, a sum of 45 lakhs was credited on this account in each of the last four years to the receipts of the Mint.

6. I do not know whether it is at present more difficult to procure copper and tin than nickel, as all the three metals are required in varying degrees for war needs. But I have proceeded on the assumption that even if the nickel-brass coins can be called in first by similarly lowering their value from the date specified for the inauguration of the new system of coinage it will be difficult to retrieve the nickel content from these coins. If, however, adequate supplies of nickel resources can be procured, the redemption of nickel brass coins need not be put off as envisaged by me and new nickel 10 and 5 cent pieces can be minted and kept ready. In that event, the nickel brass coins may also be made uncurrent on the specified date and each two anna nickel-brass coin can be redeemed by the issue in exchange of the new nickel 10 cent piece and 2 pice coins and each 1 anna nickel-brass coin can be redeemed by the issue in exchange of the new nickel 5 cent piece and 1 pice coin.

Serial No. 12.—NO. T. M./292, DATED 27TH JUNE 1945,
FROM THE ACCOUNTANT GENERAL, BENGAL, TO
THE AUDITOR GENERAL OF INDIA, SIMLA.

SUBJECT :—*Decimalization of the Coinage.*

I have the honour to invite a reference to your endorsement No. 366 Admn./III-45, dated the 22nd May 1945, on the above subject. The benefits of the decimal system are easy computation and accounting, and the consequent speed they impart to financial and commercial transactions. For example, if the system be introduced, it would be comparatively easier to calculate income-tax, as the rates would then be percentages, and as for accounting much time and labour will be saved.

It is hoped that the introduction of the decimal system will lead to the invention of simpler calculating machines

which might be used with advantage and perhaps more extensively in Audit Offices.

2. The difficulties in the introduction of the system have been mentioned in para 4 of the Finance Department's "Explanatory Memorandum". To the wide repercussions on all rates and prices and the initial difficulties of Government and the public in the matter of fixation of new rates and fresh issues of postage stamps, railway tickets, etc., I may add those involved in the re-calculation of land revenue and of rents of permanently settled lands. It may not be possible to express annas and pies exactly in cents, and figures may go to four places of decimals as, for instance, 1 pie = 0.5208 cents. But all the innovations have been attended with difficulties and those should not stand in the way of the introduction of an admittedly better system. The confusion in the initial stages will be mitigated to a certain extent by the proposed distribution of slips showing the arithmetical relationship between the two systems. I would suggest that the figures in terms of the proposed coinage be carried only to two places of decimals in these slips and all re-calculations be also shown only to the second decimal place. I would also suggest the fixation of a definite period, say five years, during which the two systems of coins should exist side by side.

3. I may add that I doubt the utility of a $\frac{1}{2}$ cent, piece. A cent would be worth less than a pice, and a half cent less than $\frac{1}{3}$ rd of a pice. Prices are not such as to make me believe that such a small unit will be necessary in future. For the same reason I do not see much necessity for the 2 cent piece which will be worth $\frac{1}{50}$ th of a rupee, that is, a little more than a pice. Strictly speaking, a 20 cent piece would be more in accord with the decimal system than a 25 cent piece, but I think that in this matter purism should give way to practical expediency. It is expected that the 25 and 50 cent pieces will be legal tender up to an unlimited amount.

Serial No 13.—No. BOOK/246, DATED 7TH JULY 1945,
FROM THE AUDITOR GENERAL, U. P., TO THE
AUDITOR GENERAL OF INDIA, SIMLA.

SUBJECT :—*Decimalization of the Coinage.*

With reference to your memorandum No. 366-T. Admn./III-45, dated 22nd May 1945, forwarding a copy of the Government of India, Finance Department letter No. F.2 (76)-F/44, dated 24th April 1945, I have the honour to offer the following views for the consideration of the Auditor General.

1. There is hardly any reform, legislative, economic, or financial, which will not be opposed by some sections of the public but such opposition in the present case may be ignored.

2. The present series of small coins, of which a very large amount will be in circulation on the date on which the new series come, will not be treated as uncurrent till it is entirely or almost withdrawn from circulation and is declared as uncurrent on a certain date. Till then, although the payments on Government account will be made in the new series, the old series will continue to be tendered in the various treasuries, sub-treasuries, and branches of the Bank in payment of Government dues. These coins will not apparently be meant for re-issue and will therefore have to be kept apart at sub-treasuries, treasuries and Banks, from the new series. Their value converted in terms of the new coinage will have to be taken for purpose of accounts. It is, therefore, suggested for consideration that the existing series of coins may be collected into a pool of uncurrent coins and charged off to a suitable head so as to exhibit the transactions correctly subordinate to the Major Head 'Coinage Account' under "P—Deposits and Advances" until they are remitted into Mint. There has apparently been no difficulty in introducing the decimal system of coinage in Ceylon and so it is considered that the introduction

of the proposed coinage in India may prove equally successful in the long run. The wide and free distribution of printed slips showing the relation between the two varieties of coinage, will be a long way in meeting the demands of the public.

It will also not be a very difficult matter to convert the Government dues which are at present fixed in the existing coinage in terms of the proposed coinage, and rounding them off to the nearest cent.

EXTRACT FROM NOTES.

Put up a draft to the Government of India, Finance Department stating that the Audit Department is in favour of the proposal.

However, difficulties will be experienced in the period of transition when both the types of coins would remain in circulation and extra expenditure will be necessary to meet these difficulties.

Mention in the draft the main difficulties brought in the letters of the As. G. and the suggestions made to meet some of them. The suggestions made by A. G., Madras in paras. 4, 5 and 6 of his letter should not be incorporated in the draft at present. Also similar suggestion by A.G., C.P. and Berar.

Say that a detailed examination of the difficulties and suggestions will be necessary at a later stage. They are at present being brought to the notice of the F. D. for the preliminary examination of the proposal.

1948

- I. Make Precis of the correspondence given below.
- II. Draft a letter from the Government of India to the Government of the Punjab explaining why it is not considered necessary to frame a rule for incorporation in the Pension Rules.

LETTER FROM W. R. TENNANT ESQ., I.C.S. ADDITIONAL DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA, TO ALL PROVINCIAL GOVERNMENTS. NO. F-52-II-R-II 1928, DATED 14th MARCH 1928.

SUBJECT:—*Eligibility for the additional pensions.*

I am directed to invite a reference to the Memorandum of the Punjab Government regarding the interpretation of the term "approved service" in connection with the grant of special additional pensions, which, together with certain other papers, was circulated with Mr. Sanjiva Row's letter No. F. 10-XIV-F.-27, dated the 20th October, 1927. As you are aware, the matter was considered at the Conference of Financial Representatives held in November last, and it was agreed that the views of local Governments should be invited before framing a rule for incorporation in the Fundamental Pension Rules.

2. I am to request that, with the permission of His Excellency the Governor-in-Council of India may be furnished with the views of the Government of Madras Bombay etc.
at an early date.

No. F. 52-II-R-II.28.

Copy forwarded to the Government of the Punjab for information.

MEMORANDUM

Question of the interpretation of the term "Approved Service" as used in the Pension Rules.

Articles 475, 475-A and 643 of the Civil Service Regulations, which relate to additional pensions, state that a condition of the award of such a pension is that the officer concerned has shown such special energy and efficiency as may be considered deserving of the concession. The question of the interpretation of this condition was referred by the Government of India to the Secretary of State in Council and his ruling was conveyed in Finance Department, Government of India, letter No. F-3-C. S. R. /25, dated the 7th January, 1925, to all local Governments. The ruling was to the effect that the provision should be interpreted to mean that an officer, who has rendered 'approved' service in one of the posts to which the articles apply, shall be eligible for the additional pension. The reason given for this ruling was that it was in accordance with the practice that had been followed for many years.

(2) The Punjab Government protested against this ruling on grounds, firstly, that it was not in accordance with the past practice in the Punjab where the case of each officer was examined on its merits in order to determine whether he had shown such special energy and efficiency as rendered him deserving of the concession and secondly, that the test of "approved service" unless further defined, would make the grant of additional pension automatic. It was pointed out that according to the ordinary interpretation of "approved service" any Government servant, whose work had not been so unsatisfactory as to justify his removal or reversion, would be held to have rendered approved service, that every one who had rendered approved service, would be held to have shown, "special energy and efficiency" and to have earned an extra pension and that only a few extraordinarily unsatisfactory officers would be excluded. It was further explained that cases were pending in

which extra pensions had been refused on the ground that the Government servants concerned had not shown any special energy or efficiency, but that it would not be possible to refuse them on the ground that they had not rendered approved service and that the very fact that they had been allowed to continue in their positions would argue that their service was in fact approved.

(3) The Government of India again referred the case to the Secretary of State who, however, maintained his former ruling in view of the practice followed by the Government of India in the past. The result has been that the Punjab Government had to sanction additional pensions to officers in regard to whom it had previously refused this concession and in the case of one officer it had to grant an additional pension although he had been passed over several times as unfit for promotion to selection grade.

(4) The Punjab Government desire to lay the question of "approved service" before the Conference of Financial Representatives with a view to ascertain how other Governments are interpreting the term "approved service" of which no definition appears to exist; and whether in any case they are following the practice in the Punjab previous to the ruling of the Secretary of State as their ordinary rule of practice having regard to the fact that these additional pensions are intended as an incentive to good service, and not merely as a recognition of the routine performance of ordinary duties. If the relevant articles of the C. S. R. are not to be interpreted strictly according to their reading, it suggests that the reference to "special energy and efficiency" in the relevant articles of the C. S. R. should be omitted and articles be so worded as to bring them into consonance with the rule of practice as prescribed by the Secretary of State.

LETTER FROM E. C. WOOD, ESQ., I. C. S., DEPUTY SECRETARY TO THE GOVERNMENT OF MADRAS, FINANCE DEPARTMENT TO THE SECRETARY TO THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT, SIMLA, NO. 266-MRS. DATED THE 30TH APRIL, 1928.

I am to say that this Government have been construing the phrase "approved service" contained in letter No. F. 5085/24, dated the 23rd October, 1924, as meaning that there is nothing on record against the officer. The Madras Government understand that this is the interpretation adopted by the Government of India also.

In the Memorandum prepared by the Punjab Government for the Conference of Financial Representatives a different and more lenient interpretation has been given to the expression "approved service". This Government would agree with the Punjab Government that it gives the rule too wide a scope to interpret "approved service" as applying to the service of any Government officer, whose work has not been so unsatisfactory as to justify his removal or reversion. This Government, however, have never so interpreted "approved service" and do not think that such objection can be taken to the interpretation which they have been following. The criterion that there is nothing on record against the officer has moreover the great advantage that it is simple to apply it to individual cases. This Government would deprecate the adoption of any test other than the written record of the officer, believing that this would give rise to doubts and difference of opinion, which should be avoided in connection with an officer's pension. And in practice, owing to the way in which the records of officers are generally maintained, the record of an officer must reveal the existence or otherwise of anything recorded against him.

At the same time this Government consider that it is desirable to bring the wording of the rule into accord with the manner in which it is applied in practice.

LETTER FROM A. CASSELS, ESQ., M. A., I. C. S., SECRETARY TO THE GOVERNMENT OF BENGAL, TO THE SECRETARY TO THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT, NO. 197-T. F., DATED THE 1ST MAY 1928.

I am directed to refer to Mr. Tennant's letter No. F-52/ II-R-II 128, dated the 14th March 1928, and to say that in the opinion of the local Government the term "approved service" as used in connection with the grant of special additional pension should be interpreted as requiring "satisfactory service" rather than "special energy and efficiency". These pensions are intended for holders of posts of selection grade status, who must have shown superior ability and efficiency before gaining promotion. This Government, therefore, consider that it is sufficient if their service continues to be satisfactory ; but it is recognised that the automatic grant of these pensions must be guarded against.

LETTER FROM E. A. H. BLUNT, ESQ., C. I. E., O. B. E.,
I. C. S., SECRETARY TO GOVERNMENT, UNITED PROVINCES, TO THE SECRETARY TO THE GOVERNMENT
OF INDIA, FINANCE DEPTT. NO. 1659-C., DATED THE
5TH MAY 1928.

I am directed to refer to Mr. Tennant's letter No. F.52/ II-R-II/1928, dated March 14th, 1928, and to make the following observations for the information of the Government of India.

2. The selection posts, which carry additional pensions under Articles 475, 475-A and 643 of the Civil Service Regulations, have specially heavy responsibilities and only officers with special capabilities can fill them. A high standard of efficiency is demanded of such officers and unless they attain that standard their service cannot be regarded as worthy of approval. In other words, such an officer becomes eligible for the additional pension if he has rendered service which is up to the standard demanded in that post, and which is, therefore, worthy of approval in that post.

3. To hold that "approved service" means service, which has not been so unsatisfactory as to justify the removal or reversion of the officer, is really to substitute for the word "not disapproved". To suggest, on the other hand, that the terms "special energy and efficiency"

means 'special' even amongst the incumbents of a post that requires a high standard of energy and efficiency, is going too far in the other direction. It would mean that only the most exceptionally efficient officers would draw the additional pension, which would then go, not (as was obviously intended) to any officer, who can work up to the standard required of him, but only to such as can exceed that standard.

4. It may be argued that, if the term 'approved service' is thus defined, then most officers, who have held these selection posts, will get the additional pension. That, however, is not necessarily the case. For instance as has already been pointed out officers of specially high qualifications are required for such posts. But in practice only the best man available can be appointed; and he, though the best available may not be quite up to the standard which the post demands. Again an officer apparently well qualified may disappoint expectations; or he may start well and end badly. In all these cases, the officers concerned would not have rendered "approved services" in the sense suggested, and consequently would not be entitled to additional pension.

5. The Governor-in-Council considers, therefore, that the question whether service is approved or not can only be decided on the merits of each individual case. But the worth of the service must be measured against the standard required in the post. On the one hand, it must not be assumed that every incumbent of such a post is up to that standard as a matter of course; nor, on the other hand, must it be held that to earn the pension he must exceed that standard. His Excellency in Council is not convinced that it is necessary to re-interpret the terms "approved service", since any such re-interpretation would probably restrict the discretion of the sanctioning authority. But if it is to be re-interpreted, he considers that it should be along the lines indicated.

LETTER FROM G. WILES, ESQ., C.I.E., I.C.S. SECRETARY TO THE GOVERNMENT OF BOMBAY, FINANCE DEPARTMENT, TO THE SECRETARY TO THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT, NO. 5744-C, DATED 8TH MAY 1928.

In reply to your letter No. F 52-II/R-. II/1928, dated the 14th March 1928, I am directed to state that the Government of Bombay would favour the retention of the term "approved service" as a condition of the grant of special additional pensions. I am to add that in order to make the meaning of the word "approved" clear a note may be added to the effect that it is essential that the service of an officer shall have been such as to have commended itself to Government as especially meritorious and that it is not enough merely that it has not been disapproved.

LETTER FROM H. M. PRICHARD, ESQ., I. C. S., SECRETARY TO THE GOVERNMENT OF ASSAM, TO THE SECRETARY TO THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT. NO. 2810-F., DATED THE 7TH MAY 1928.

With reference to Mr. Tennant's letter No. F. 52/II. R.-II/1928. dated the 14th March 1928, I am directed to say that the special posts, to which additional pensions are attached, are filled by selection, and the officer selected will presumably, if he discharges his more onerous duties to the satisfaction of Government, display the special qualities on account of which he was selected for the post. If the work of such an officer is such as not to justify the extra pension, it is not fair either to the tax-payer or to the officer concerned to allow the latter to retain the post and his services should be dispensed with at an early stage. The fact that Government retained the officer in service during the period necessary to earn the pension would imply that Government "approved" of his services. The Governor-in-Council, therefore, considers that "approved service" in one of the special posts should entitle an officer to the additional pension, and that in the revised pension rules this expression should replace expression "such special energy and efficiency etc."

LETTER FROM A. E. GILLIAT, ESQ., I.C.S., SECRETARY TO THE GOVERNMENT OF BURMA, FINANCE DEPARTMENT, TO THE SECRETARY TO THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT. NO. 387-M./27 (389) DATED THE 12TH MAY 1928.

In compliance with the request made in Mr. Tennant's Finance Department letter No. F. 52/II-R./II/1928 of the 14th March 1928, I am directed to submit the views of this Government regarding the provision, which should be made in the Fundamental Pension Rules, to regulate by reference to the quality of a Government servant's service his eligibility for one of the additional pensions at present admissible under articles 475, 475-A and 643 of the Civil Service Regulations. The present position in brief is that each of these articles prescribe as one of the conditions of the grant of a special pension thereunder that the officer must have shown such special energy and efficiency as may be considered deserving of the concession. In Mr. Macleod's letter No. F.3-C.S. R./25, dated the 7th January 1925, however, the Government of India communicated a ruling by the Secretary of State-in-Council that, in accordance with the practice that has been followed for many years, this provision should be interpreted to mean that an officer, who has rendered approved service in one of the posts to which the Articles apply, shall be eligible for the additional pension. The objection being considered by the Conference of Financial Representatives at Delhi in November 1927, and ultimately in the present reference, is based briefly on three grounds :—

- (1) that the ruling is not in accordance with the previous practice in the Punjab;
- (2) that no authoritative definition appears to exist of the term "approved service", which the Secretary of State-in-Council decided to substitute for the term "special energy and efficiency";
- and (3) that, in the absence of a specific definition and adopting the ordinary interpretation of the term "approved service", the grant of additional

pensions would become practically automatic to all Government servants otherwise qualified, whose work has not been so unsatisfactory as to justify their removal or reversion.

2. The Government of Burma recognise that there is much force in the objections raised by the Punjab Government and it attaches special weight to the third of these objections. The prescriptions of the Civil Service Regulations in regard to the grant of the full ordinary pension are clear and definite. Article 470 states that the full ordinary pension should not be given unless the service rendered has been really approved ; and that, if the service has not been thoroughly satisfactory, the authority sanctioning the pension should make an appropriate reduction in the pension. Yet it is a matter of common knowledge that the full ordinary pension is really if ever reduced and that it is granted almost as a matter of course. If therefore, the prescriptions of this Article were also applied to the grant of these special additional pensions, and that is what the Secretary of State's ruling amounts to, the same result would almost certainly follow. The Government of Burma would regret this result, and it regards the chief value of the existing wording of Article 475 with its reference to special energy and efficiency to be that it leaves the sanctioning authority complete discretion to decide whether or not the special additional pension should be awarded. Provided this discretion is maintained unimpaired the Government of Burma is not particular as to the precise wording of the relevant Articles so long as some definite criterion is laid down in them. The result to be aimed at is that the special additional pension should not be awarded unless the officer concerned has justified his selection for the post to which the Articles apply ; and the Government of Burma would suggest that the sanctioning authority should be required to attach a certificate to this effect to the order sanctioning the special additional pension.

LETTER FROM N. J. ROUGHTON, ESQ., I. C. S., FINANCIAL SECRETARY TO GOVERNMENT, CENTRAL PROVINCES TO THE SECRETARY TO THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT, SIMLA. NO. C.846/213 R./III, DATED THE 24TH MAY 1928.

I am directed by the Governor-in-Council to refer to the Government of India, Finance Department's letter No. F. 52-II-R-II-1928, dated the 14th March 1928, asking for the views of this Government on the question of incorporating in the Fundamental Pension Rules a rule corresponding to the provisions of Articles 475, 475 A and 643 of the Civil Service Regulations, which will exhibit the correct interpretation of the term "approved service" as used in the Pension Rules.

2. In reply, I am to say that the Governor in-Council supports the view contained in the Memorandum of the Punjab Government referred to in the letter under reply that if additional pensions are intended to serve as an incentive to good service and not merely as a recognition of the routine performance of ordinary duties in one of the administrative posts referred to in articles 475, 475 A and 643 of the Civil Service Regulations, the Secretary of State may be moved to amend the orders contained in Government of India, Finance Department's letter No. F.3.C.S.R./25, dated the 7th January 1925, so that they may be in consonance with the spirit of the rules, which lay down 'special energy and efficiency' as the criteria for the grant of such additional pensions. I am to add that the amendment suggested is in accordance with the interpretation placed by this Government on the term 'approved service' as it was understood by this Government before the receipt of the Secretary of State's orders contained in Government of India, Finance Department's letter of 7th January 1925.

LETTER FROM P. C. TALLENTS, ESQ., I. C. S., SECRETARY TO GOVERNMENT OF BIHAR AND ORISSA TO THE SECRETARY TO THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT NO. 4097-F.R., DATED RANCHI, THE 18TH SEPTEMBER 1928.

In reply to Mr. Tennant's letter No. F.-52-II-R-II-1928, dated the 14th March 1928, I am directed to say that, in the opinion of the Government of Bihar and Orissa, additional pensions should only be awarded at the discretion of the local Government to officers, who have maintained during their tenure of a scheduled appointment a high standard of energy and efficiency.

2. I am to add that this is the interpretation, which the Government of Bihar and Orissa have in the past put upon the term "approved service".

1949

1. Make a precis of the following correspondence.

2. Draft a reply from the Government of Bombay, Finance Department, to the Government of India on the following lines :

(a) Legislation should be central, but it should be possible for Provincial Legislatures to vary the rates of duty.

(b) Compulsory representation is not impracticable though it would undoubtedly be unpopular,

(c) The limit of exemption should be high.

(d) A copy of the replies received by Government is to be forwarded.

GOVERNMENT OF INDIA FINANCE DEPARTMENT, LETTER
NO. (F.3 XIII) F-27, DATED 28TH NOVEMBER 1927,
TO ALL PROVINCIAL GOVERNMENTS.

SUBJECT : *Probate Duties.*

I am directed to address you on the subject of Probate duties discussed in the Report of the Indian Taxation Enquiry Committee. The Committee have come to the conclusion that the peculiar conditions of India render the imposition of a succession duty impracticable in India.

2. An extension of probate duties is recommended by the Committee partly on grounds other than fiscal.

The Government of India consider, however, that the real justification for imposing the duty would be the need for revenue and that is for the Provincial Governments to consider whether they are prepared to exploit this particular field. They do not wish to claim the duty as a source of Central Revenue. They desire that the question should be considered primarily from this standpoint.

3. I am next to deal with the proposals for enforcing a system of universal representation, which the committee justify on the fiscal ground of the convenience of designating a person on whom the responsibility for the payment of duty can be fixed, though they go on to justify it on legal grounds connected with the need of providing for the administration of the estate till full effect can be given, judicially or otherwise, to the succession. After careful consideration the Government of India are themselves of opinion that representation cannot be made compulsory throughout India. Those Provincial Governments who are not opposed to the compulsory probate of wills should consider whether universal representation is advisable and feasible in their provinces.

4. If universal representation is considered inadvisable, it will be necessary to examine the alternative plan mentioned by the Committee, which contemplates in ordinary revenue or income tax process resting on an inventory supplied by certain persons and on reports of village and other officers, backed by penalties for evasion and by precedence of the duty over other charges on the estate. The Government of India would be glad to have the opinions of Provincial Governments on this proposal.

5. The Government of India consider that it is unnecessary at the present stage to offer any observations on the scale of duty proposed, or other matters of detail,

since they do not appear to raise any questions fatal to a scheme of estate duties.

6. But the proposal that legislation for the imposition of these duties should be central requires examination. The Committee recommend this on two grounds firstly, on the analogy of Court Fees, they consider it desirable that the taxation should be uniform. Secondly, because in their opinion, provisions affecting the personal law of Communities should not be different in different parts of India.

The Provincial legislatures have full powers to impose taxes on succession and the presumption is against interference by the Central legislature in the domain of provincial legislation. And however desirable it may be that provisions affecting the personal law of Communities should be uniform throughout India, such uniformity of practice may not be feasible in circumstances of particular provinces. Uniformity of rates of taxation can, conceivably, be attained by provincial legislation.

On the other hand, it would appear to be more important that this form of taxation should be universally applied than that the rates should be uniform. If one province did, and a neighbouring province did not levy duties, an early difficulty in a provincial scheme would arise in connection with the definition of property chargeable and the means for its discovery, and there might be the complication on evolving laws of provincial domicile. It is therefore possible to contend on this view that a portion of the legislation at least should be central, the remainder being left to local legislatures.

The Government of India will not attempt at this stage to balance finally the various considerations stated in this paragraph. For the present they retain an open mind as to the legislature in which legislation should be undertaken, and propose to defer a decision till they receive the views of the provinces regarding the action

which is possible in each. They are, however, inclined to the view that central legislation should be confined to those matters in which regulation of relations is desirable and that the field of provincial legislation in other matters should be kept as wide as possible.

The Government of Bombay consulted several judicial officers before replying to the Government of India. Their replies are given below.

FROM THE REGISTRAR, HIS MAJESTY'S HIGH COURT OF JUDICATURE APPELLATE SIDE, BOMBAY TO THE SECRETARY TO THE GOVERNMENT OF BOMBAY, HOME DEPARTMENT, BOMBAY.

With reference to your letter No. 3438/2-B dated the 31st May 1928, I am directed by the Honourable the Chief Justice and Judges to say that their Lordships have confined their attention to the main questions involved as they have not the time at their disposal to give opinions on the details of this complicated matter. The main subjects considered by their Lordships have been the feasibility of and necessity for universal compulsory representation and the question whether legislation should be Central or Provincial. Their Lordships are not unanimous on all these subjects, and I am accordingly to append the minutes recorded by them in the matter.

Minute No. 1.

Some of the District Judges are in favour of universal representation but the majority of those consulted, oppose it.

I agree with the minority that universal compulsory representation, as proposed by the Taxation Committee is the proper course, for as has been shown by the Taxation Committee the present System of Compulsory representation in India is inequitable and wrong, depending as it does on race and creed. The state of affairs in respect of wills is also anomalous and indefensible, and gives occasion for much hard swearing and frequently fraudulent proceedings. The main objection to applying

universal representation is based on the joint family system and the provision of the Mahomedan law, but all these difficulties have been considered by the Taxation Committee, and are not insuperable.

I am strongly in favour of universal representation which the conditions of modern India require.

Minute No. 2

I am disposed to agree with the majority of district Judges consulted that universal representation is not advisable. That seems to be the opinion of the Government of India also.

Minute No. 3.

The Government of India has apparently rejected the suggestion for a system of universal representation as impracticable; but apart from fiscal considerations, such a system would tend to settle titles and discourage speculative litigation. In this country, purchasers of immovable property are always liable to have their title attacked by persons claiming to be interested in the estate of their vendor, often years after the transfer.

As the conditions of various Provinces differ so widely, I am doubtful whether Legislation should be central.

Minute No. 4.

The principle of universal representation will no doubt be opposed strongly and be unpopular in the Hindu and Mahomedan communities.

I am disposed to think that the legislation should be central.

Minute No. 5.

The Indian Taxation Enquiry committee came to the conclusion that the levy of a succession duty in India was impracticable. The alternative to the levy of succession duty is to make representation compulsory. As

pointed out it would expose a number of poor and ignorant people to an unnecessary amount of trouble and expense. It may be added that it would impose a considerable amount of extra work on the Courts and would correspondingly benefit the legal practitioners. If however the limit of exemption is placed high, the scheme will be less oppressive. Moreover it will do much to secure the honest purchaser of the estate from litigation by relatives of the deceased and will, on this account, reduce litigation. The Government of India give no reason for saying that the system of universal representation cannot be made compulsory throughout India. In my opinion it is perfectly feasible in this Presidency and if succession duty is not favoured, it may also be advisable for fiscal reasons.

Minute No. 6.

I am opposed to the proposed legislation. If at all it is to be taken in hand, it should be central.

With a large majority of the population not knowing how to read and write, the hardship which death duties would entail on the illiterate masses are likely to be very serious and the recovery of such duties not so easy as may appear at first sight. After another 20 or 25 years, it might be feasible to introduce the proposed legislation.

FROM THE ADVOCATE GENERAL, HIGH COURT, BOMBAY
TO THE SECRETARY TO GOVERNMENT HOME
DEPARTMENT.

I am of opinion that universal representation is advisable and feasible in the Bombay Presidency and a succession, transfer or mutation duty should be imposed.

It should be impossible for any person to establish a right in any Court of Justice to any part of the estate of a deceased person unless he has taken out probate or letters of administration.

As pointed out by the Government of India, this form of taxation if applied should be universally applied and a portion of the legislation, at least, should be central.

FROM THE SOLICITOR TO GOVERNMENT, BOMBAY, TO
THE SECRETARY TO THE GOVERNMENT OF BOMBAY,
HOME DEPARTMENT.

The proposals affect two subjects of different aspect although for the purpose of collection of the proposed duty or taxation in the nature of an inheritance or death duty they are rightly considered together. The first is the question of whether the time has arrived to require that in all cases of death legal representation of some sort should be taken out in respect of the property passing on the death. The second question is whether taxation in the form of death duties should be introduced.

2. With regard to the first point, I am certainly in favour of legislation being introduced to remove the anomaly under which the necessity for obtaining probate of Will and of taking out letters of Administration in the case of persons dying intestate is only incumbent on certain classes and in certain areas, and to make it necessary that on the death of every person in India where property of above a certain value passes as a result of that death, legal representation to the estate of the deceased shall be obtained from the Court.

3. I think that legislation with the above object should be enacted by the Central Legislature and that this should be made universal throughout India. Unless this is done in these days of rapid transport and inter-communication questions of provincial domicile would be likely to arise which would give great trouble. Universal representation should be made compulsory throughout India.

4. I think that in the introduction of death duties at first, attempts should be made to collect the duties from estates of large value and the imposition of this

incidence of taxation can be gradually introduced upon estates of lower value. I would suggest that the duty might first be introduced in respect of estates of moveable or immoveable properties passing upon death of the value of Rupees one lac or over. This will be all the easier towards the introduction of universal representation as it will not entail the rigorous enforcement of the regulations in this respect against the representatives of smaller estates until such times as Government may make such estates liable for death duties by which time the machinery by which representation is to be taken out will be understood by the community.

5. Legislation introducing universal representation should as I beg to submit be by an Act of the Central Legislature and I further submit that an Act introducing the inheritance tax or by whatever name the duty is to be called should also be from the Central Legislature but the scale of duty and other details may be left to the Provincial Governments to adjust according to their financial requirements and the machinery for collection of the duty would also be under the control of the control of the Provincial Governments.

1939

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PRECIS AND DRAFT

(Time allowed—3 hours. Marks—150/200).

Marks.

(A) Make a precis of the correspondence given 90/120 below.

(B) Draft a letter to Local Governments (other 60/ 80 than the Punjab) with reference to the extract from Shillidy's note of 25-5-28 and orders at 'A' of paragraph 3 in Sir James Crerar's note of 30-5-28. Also intimate the decision to the Punjab Government sending them a copy of the letter to other Local Governments.

EXTRACT FROM NOTES.

In the Home Department letter, dated the 16th December 1927, local Governments and Administrations, other than Burma, were consulted on the proposals of the Government of Burma made in their letter, dated the 6th December 1926, that the Government Servants' Conduct Rules should be so amended as to make it clear that they applied to officers on foreign service and that no officer, whether on foreign service or lent to a local body otherwise employed outside the regular line of employment, should be permitted to criticise in any manner the policy of Government. To this reference all replies have since been received from the Governments addressed, and are noted below.

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T. P. R.,—19-5-28.

For the main proposition I agree with the excellent statement of the case in paragraph 3 of the Punjab Government's letter and with the arguments of the Deputy Commissioner, Delhi, and with the Chief Engineer, Delhi Province. On this point, therefore, I would reply to the Government of Burma, sending copies to all Governments, that the Government of India were not satisfied that there was any necessity for changing the rule and agreed with the view expressed by the Government of the Punjab in paragraph 3 of their letter, a copy of which should be attached, and local Governments might be asked to consider the advisability of issuing executive instructions on the lines suggested by the Punjab Government.

J. A. SHILLIDY,—25-5-28.

3. As regards the limits within which criticism of Government by a Government servant who also owes allegiance to some public body of which he is a member, should be permitted, it appears to me undesirable and impracticable to attempt to define them by rule. I agree that paragraph 3, of the Government of the Punjab's letter puts the points of principle very well. I am doubtful, however, whether it would be wise to attempt

A { to frame executive instructions in the matter. I would communicate the purport of this paragraph of the Government of the Punjab's letter to local Government with an expression of the approval of the Government of India. I think that for all practical purposes it will be sufficient if any case where the operation came into question, local Governments and the Government of India should be in possession of an act upon these principles.

J. C. (RERAR),—30.5.28.

APPENDIX TO NOTES

Extracts of Rules 1 (a) 20 and 23 of the Government Servants' Conduct Rules.

1. *Interpretation.*—In these rules,—

(a) "Government servant" includes every person holding or exercising any civil office, other than a menial office, under the Government.

20. *Criticism of Government and publication of information or opinion upon matters relating to foreign countries.*

A Government servant may not publish in his own name :—

(a) any statement of fact or opinion which may embarrass the relations between Government and the people of India or any sections of the people :

- (b) any statement of fact or opinion concerning the policy or affairs of, or negotiations with, a foreign country which may embarrass the relations between such country and the British or Indian Government.

A Government servant who intends to publish a statement which may be considered to fall within this rule shall submit a proof thereof and shall obtain the permission of Government before publication.

23. (1) Subject to the provisions of rule 22 and to any special instructions of the local Government, a Government servant shall not take part in, or subscribe in aid of, any political movement in India or any political movement relating to Indian affairs. Where there is room for doubt whether any action which a Government servant proposes to take will contravene this rule, he shall refer the matter to the local Government or the authority to which he is immediately subordinate, and thereafter, shall act in accordance with such orders as may be passed by such local Government or authority.

(2) A whole-time Government servant shall not canvass or otherwise interfere or use his influence in connection with or take part in, any election to a legislative body :—

“Provided that a Government servant who is qualified to vote at such election may exercise his right to vote, but if he does so, shall give no indication of the manner in which he proposes to vote or has voted.”

(3) Save, in the case of a whole-time Government servant who, with the permission, if any required under any law or order for the time being in force, as a candidate for election to a Municipal Committee, District Board or other local body, the provisions of sub-rule (2) shall apply in the case of an election to any such Committee, Board or body.

CORRESPONDENCE

Serial No. 1--LETTER FROM THE GOVERNMENT OF BURMA
(HOME AND POLITICAL DEPARTMENT) NO. 389-E./26.
DATED THE 6TH DECEMBER 1926.

SUBJECT.--*Public criticisms of Government's action or
decision by Government servants.*

I am directed to address the Government of India regarding the interpretation of the Government Servent's Conduct Rules.

2. The facts, briefly stated, are that His Excellency the Governor acting with the Hon'ble Minister in charge of Public Health, constituted a Committee to enquire into the health conditions in Rangoon Town with particular reference to their general effect on the Province. The President of the Corporation agreed to serve on the Committee, but the Corporation was not officially consulted. A member of the Corporation raised the question whether, in view of this omission on the part of Government, the Corporation should permit its employees to give evidence before this Committee, and in the course of the discussion the member of the Burma Commission, who represented the Rangoon Development Trust on the Corporation, moved the following amendment :—

"That the Corporation protests against the omission of the local Government before appointing the Rangoon Health Committee of consulting the Corporation with reference to the necessity for and the composition of such a Committee and its terms of reference."

"That the Committee having now been appointed, this Corporation accepts the situation and directs the Commissioner to make arrangements necessary to supply the Committee with such information and evidence as are required to complete its investigation."

In supporting this amendment the mover remarked, that he was fully in agreement with the mover of the

Resolution in protesting against the local Governments' disregard of the Corporation. The same line was taken by the Executive Officer of the Corporation, also a member of the Burma Commission.

3. It seems obvious to the local Government that in criticising the action of the Government of Burma in respect of the appointment of this Committee this officer was acting contrary to the spirit if not to the letter of the rules regulating the conduct of Government servants and violated the general principle that Government servants should not in public criticise the policy or the decisions of Government.

4. The Government Advocate, Burma to whom the question was referred whether Rule 20 of the Government Servant's Conduct Rules was applicable or not to this particular case, has expressed the following opinion :—

"In Rule 20, the words 'publish in his own name' and 'submit of proof' indicate that the restriction applies, in terms only to voluntary contributions to the press and publications of that nature. It cannot, I think, be made applicable, by the fact that a speech may be reported, to statements made at a meeting of the Rangoon Corporation. The Resolution of the Government of India (Public No. 632) of the 7th March 1921 interprets the Rule in this manner."

"The impropriety of a Government officer expressing opinions, in public, at variance with the policy of the Government is indicated by the examples furnished by the Rules and may be treated as a general principle. But I doubt whether the principle would be applicable to the case where the officer expresses his opinion as a member of the Rangoon Corporation elected by the Trustees for the Development of the City of Rangoon, a non-Government body, in the exercise of his duty to put forward the views of that body."

5. The Corporation has since withdrawn its opposition and the local Government does not wish to take any disciplinary action in the case of either officer, but it thinks it desirable and would recommend that it be definitely laid down in the Government Servants' Conduct Rules that no servant of Government, even if he be on foreign service or lent to a local body or otherwise employed outside the regular line of employment, should in any case publicly give expression to views which are at variance with those stated by Government, or should criticise Government's actions or decisions.

Serial No. 2.—LETTER TO ALL LOCAL GOVERNMENTS AND ADMINISTRATIONS (EXCEPT BURMA), NO. F-46/27-PUBLIC, DATED THE 16TH DECEMBER 1927.

SUBJECT:—*Amendment of Rules 1 (a) and 20 of the Government Servants' Conduct Rules.*

I am directed to refer to the correspondence ending with the Home Department letter No. 2660/2771, dated the 15th November 1912, with which was forwarded a copy of amended Rule 19 (now Rule 20) of the Government Servants' Conducts Rules, and to enclose a copy of a letter from the Government of Burma, No. 398 E.-26, dated the 6th December 1926 in which that Government point out that the rule as it stands is defective inasmuch as it does not cover the case of a Government servant criticising orally the policy of the Government. The local Government also refer to the fact that it is doubtful whether the principle embodied in the rule applies to those on foreign service and suggest that it should be definitely laid down that no servant of Government whether he be on foreign service or not should be at liberty to criticise in any manner the policy of the Government.

2. Before arriving at a decision the Government of India would be glad to be furnished with the views of the Government of Madras, etc., etc., your views on the general issue raised by the Burma Government.

Serial No. 3.—LETTER FROM THE GOVERNMENT OF MADRAS, PUBLIC DEPARTMENT, NO. 6041-1, DATED THE 28TH JANUARY 1928.

Government Servants' Conduct Rules—Rule 1 (a) and 20—Amendment—Home Department letter No. F-46-27/public dated 16th December 1927.

I am directed to say that the Madras Government consider that there is no objection to insert in Rule 1 of the Government Servants' Conduct Rules an addition which will make it clear that "Government Servant" includes officers on foreign service or lent to a local body or otherwise employed outside the regular line. It might well be argued that a broad and reasonable interpretation of the Rule as it stands would cover the case brought up by the Burma Government; but the suggested addition seems to the Madras Government unobjectionable in itself.

2. The Madras Government consider that Rule 20 of the Government Servants' Conduct Rules might usefully be amended so as to make it apply to oral statements which are intended or are likely to be published.

Serial No. 4.—LETTER FROM THE GOVERNMENT OF BOMBAY NO. 1951/34-2 DATED THE 18TH FEBRUARY, 1928.

SUBJECT.—Government Servants' Conduct Rules. Amendment Rules 1(a) and 20 of—

I am directed by the Governor in Council to refer to your letter No. F-46/27-Public, dated the 16th December 1927, regarding the suggestion made by the Government of Burma that it should be laid down definitely in the Government Servants' Conduct Rules that no servant of Government, whether he be on foreign service or not, should be at liberty to criticise in any manner the policy of Government, and asking the views of the Government of Bombay on the general issue raised by the Burma Government.

2. In reply I am to say that Government servants in foreign service, e.g., the Municipal Commissioner for the City of Bombay, are servants of Government although they are in foreign service and the general principles of the Government Servants' Conduct Rules are presumably applicable to them. As this is not made clear in the rules which have so far been issued by the Government of India in the matter, the Governor in Council is inclined to think that Rule 1 (a) of the rules should be amended so as to make it free from doubt. If this is done I am to say that in the opinion of the Government of Bombay, the proposed amendment of Rule 20, so as to include oral criticism, is not necessary. They consider that Government should not be too thin-skinned in the matter of criticism and that if the criticism actually goes too far Government can take disciplinary action.

Serial No. 5—LETTER FROM THE GOVERNMENT OF BENGAL, APPOINTMENT DEPARTMENT, NO. 163-A. D., DATED THE 30TH APRIL, 1928.

SUBJECT. — Amendment of rules 1(a) and 20 of the Government Servants' Conduct Rules.

I am directed to refer to Mr. Shillidy's letter No. F-46/27 Public, dated 16th December 1927 on the above subject. In reply I am to say that the Government of Bengal have carefully considered the recommendation of the Government of Burma that rules 1 (a) and 20 of the Government Servants' Conduct Rules should be so amended that it be definitely laid down that no servant of Government whether he be in foreign service or not, should be at liberty to criticise in any manner the policy of Government, but are unable to accept the views put forward by the Government of Burma. In their opinion when an officer is deputed to foreign service he is bound to act in the interests of the foreign employer; even though this may involve criticism of the policy or decisions of the Secretary of State or of a Government in India. If Government are not prepared to concede this they should not lend their officers. But no officer on

deputation to foreign service is entitled to indulge in such criticism where the interests of his employer do not require it, nor would an officer who is nominated to a body to represent Government be entitled to criticise Government.

2. The Government of Bengal, however, agree with the Government of Burma that the Government Servants' Conduct Rules should be amended so as to provide for the situation which has arisen in Burma and I am to enclose for the consideration of the Government of India a draft on an amendment to rule 1(a) and of a new rule 20-A which has been approved by the Hon'ble Members and Hon'ble Ministers in joint meeting and which the local Government consider will remove the defects in the existing rules.—

Add—

Rule 1 (a).—“And every person belonging to the civil service of the Crown in India whether he may be for the time being on deputation to foreign service or otherwise.”

New Rule 20-A.—A Government Servant may not publicly give expression to views which are at variance with the views which have been stated by Government nor may he publicly criticise the actions or decisions of Government.

Provided that nothing in this rule shall apply to—

- (a) any action taken in good faith in the interests of his employer by an officer who is for the time being on deputation to foreign service,
- (b) any statement made on behalf and with the authority of a local Government.

Serial No. 6.—LETTER FROM THE GOVERNMENT OF UNITED PROVINCES, APPOINTMENT DEPARTMENT NO. 5027, DATED THE 23RD DECEMBER 1927.

SUBJECT.—*Amendment of Rules 1 (a) and 20 of the Government Servants' Conduct Rules.*

In reply to Mr. Shillidy's letter No. F.-46/27-public, dated December 16, 1927, on the above subject, I am directed to say that the Governor in Council agrees to the proposed amendment of the Government Servants' Conduct Rules.

Serial No. 7.—LETTER FROM THE GOVERNMENT OF PUNJAB, NO. 5376-GAZ., DATED THE 14TH FEBRUARY 1928.

SUBJECT.—*Amendment of Rules (a) and 20 of the Government Servants' Conduct Rules.*

I am directed to refer to Mr. Shillidy's letter No. F.-46/27-Public, dated the 16th December, 1927, on the above subject and to convey the views of the Governor in Council.

I am to observe that there appear to be two points at issue, firstly, whether Rule 20 of the Government Servants' Conduct Rules should be so amended as to impose restrictions on oral criticism of the policy of Government, by public servants; and secondly, whether Rule 20 should apply to Government servants who are on deputation or on foreign service.

2. With regard to the first point, I am to refer to the despatch of the Secretary of State, No. 144, dated the 6th October 1898, which formed an enclosure to letter No. 2304, dated the 16th November 1898, from the Home Department. In that despatch the principles were laid down, firstly that "a member of the Government service is not at liberty to make an attack upon what he knows or believes to be the policy or procedure deliberately approved by the Government and that it is no justification of such attack that he is actuated by conscientious motive or has a strong conviction of the correctness of his own judgment;" and, secondly, that "it is improper for any officer to convey the public, whether in writing or in a speech or otherwise, any opinion upon matters of Government policy which are, or

likely to become, subject of public discussion." The Governor in Council considers that the purport of these instructions should be incorporated in Rule 20 of the Government Servants' Conduct Rules.

3. With regard to the application of the rule to servants of Government who are on deputation or on foreign service, I am to say that the question is complicated technically as Govt. servants on deputation or on foreign service are frequently members of local bodies and as such are under an obligation to protect, within legitimate limits, the interests of the public bodies they serve. In the Punjab, for instance the Deputy Commissioner is usually the Chairman of the District Board, and when acting in the latter capacity, he has at times to differ from the views of Government when they affect or appear to affect adversely the interests of the Board. The Governor in Council is of opinion that the adoption of the proposal of the Burma Government would make the position of an official chairman of a local body and any other official similarly situated very difficult, since he would be precluded from taking part, other than as a supporter of Government, in a discussion in which proposals made by Government were under consideration, unless Government had made it clear that the proposals in question were not part of its policy. For this reason the Governor in Council would deprecate the inclusion in the Government Servants' Conduct Rules of a rigid rule which would prevent public servants, who are on deputation or on foreign service, or who are members of local bodies from giving expression to views which are at variance with those stated by Government, and would prefer that the limits within which such Government servants are at liberty to criticise the policy of Government should be stated in executive instructions. Such instructions might express the general principle that when a proposal of Government, relating to a local body or other authority whom a public servant represents, is under discussion, the Government servant is not precluded from an expression of his views

regarding the manner in which the proposal of Government will affect the interests of the local body or authority, but his observations should be confined to this aspect of the question and to suggestions for alternative proposals, where it is proposed to move Government to reconsider its orders, and should not include general criticisms of the policy of Government. Subject to the observance of this general principle, the criticisms should be directly relevant to the interests of the body or authority whom the public servant represents, and they should be moderately worded. Where the decisions of Government are such as no question of reconsideration can arise, the Government servant should refrain from criticism of them, and any part he may take in the discussion should be confined to an explanation of the extent to which they affect the interests of the local body or other authority.

Serial No. 8.—LETTER FROM THE GOVERNMENT OF BIHAR AND ORISSA, APPOINTMENT DEPARTMENT, NO.1320-A., DATED THE 11TH FEBRUARY 1928.

SUBJECT.—*Amendment of rules 1 (a) and 20 of the Government Servants' Conduct Rules.*

In reply to Mr. Shillidy's letter No. F.-46/27-Public dated the 16th December 1927, I am directed to say that the local Government do not consider that the particular case referred to by the Burma Government is sufficient justification for an alteration of rule 19 (20?) as recently amended, of the Government Servants' Conduct Rules.

2. The local Government agree fully in the general proposition, already expressed in the rules, that Government servants cannot be allowed full freedom to criticise the policy or actions of Government in public; but the broad limits of what is permissible are well known and in the opinion of the local Government, sufficiently indicated in the existing rules, and it would appear to be impossible to lay down rules covering every possible case without, at the same time, restricting permissible action.

On the other hand, the mere fact that an act of a Government servant, which is itself improper, is not definitely forbidden in the rules will not prevent Government from taking due notice of it.

Serial No. 9.—LETTER FROM THE GOVERNMENT OF THE CENTRAL PROVINCES, APPOINTMENTS DEPARTMENT, NO. 581/3385R.-III, DATED THE 9TH FEBRUARY 1928.

SUBJECT.—*Amendment of Rules 1 (a) and 20 of the Government Servants' Conduct Rules.*

I am directed to refer to Mr. Shillidy's letter No. F.-46/27-Public, dated the 16th December 1927, on the subject of the amendment of rules 1 (a) and 20 of the Government Servant's Conduct Rules, and to say, in reply, that the Governor in Council agrees (a) that Government servants should not be permitted to criticise Government orally, and (b) that government servants on foreign service should be subject to the same restriction as apply to those in the ordinary line.

Serial No. 10.—LETTER FROM THE GOVERNMENT OF ASSAM, APPOINTMENT AND POLITICAL DEPARTMENT NO. APPT.-2208-7108-A.P., DATED THE 30TH DECEMBER 1927.

SUBJECT.—*Amendment of Rules 1 (a) and 20 of the Government Servants' Conduct Rules.*

I am directed to refer to Mr. Shillidy's letter No. F.-46/27-Public, dated the 16th December 1927 and in reply to say that the Governor in Council agrees with the Government of Burma that the Government Servants' Conduct Rules should expressly prohibit any public criticism of the policy of Government by any Government servant, even if he be in foreign service.

Serial No. 11.—LETTER FROM THE CHIEF COMMISSIONER, NORTH-WEST FRONTIER PROVINCE, NO. 3023-G/12-143/24 DATED THE 25TH FEBRUARY 1928.

SUBJECT.—*Amendment of Rules 1 (a) and 20 of the Government Servants' Conduct Rules.*

I have the honour to acknowledge Mr. Shillidy's

letter No. F.-46/27-Public, dated the 16th December 1927, on the above subject and to observe that, in my opinion, it is advisable to amend Government Servant's Conduct Rules so as to provide that no Government servant—whether he be on foreign service or not—should be at liberty publicly to criticise the policy of Government.

Serial No. 12.—LETTER FROM THE COMMISSIONER, COORG, NO. 369/63-12, DATED THE 26TH JANUARY 1928.

SUBJECT.—*Amendment of Rules 1 (a) and 20 of the Government Servants' Conduct Rules.*

In reply to your letter No. F.-46/27-Public, dated the 16th December 1927, I am directed to say that the Chief Commissioner sees no necessity for the revision suggested by the Government of Burma which appears to be too comprehensive. There can be no objection to prohibiting a Government servant, even when on foreign service, from publicly criticising the general policy of Government, but if the suggestion of the Government of Burma were accepted as it stands the opinions of Government servants appointed to Committees or Corporations would necessarily be so circumscribed as to be deprived of most of their value.

Serial No. 13.—LETTER FROM THE CHIEF COMMISSIONER, DELHI, NO. 208-HOME, DATED THE 11TH JANUARY 1928.

SUBJECT.—*Amendment of Rules 1 (a) and 20 of the Government Servants' Conduct Rules.*

In reply to Mr. Shillidy's letter No. F.-46/27-Public, dated the 16th December 1927, I have the honour to say that of the four officers consulted by me, the District Judge is in favour of the amendment suggested by the Government of Burma, while the Senior Superintendent of Police sees no objection to the amendment. I enclose copies of the opinions furnished by the Deputy Commissioner and the Chief Engineer. I am in agreement with the views of the Deputy Commissioner which appear to me to be very reasonable and well-considered.

COPY OF A LETTER NO. 3/C DATED 4TH JANUARY 1928,
FROM THE DEPUTY COMMISSIONER, DELHI TO THE
CHIEF COMMISSIONER, DELHI.

SUBJECT.—*Amendment of Rules 1 (a) and 20 of the Government Servants' Conduct Rules.*

In reply to your endorsement No. 9091-Home, dated, the 20th December 1927, on the above subject, I have the honour to say that in my opinion the question raised by the Government of Burma is not free from difficulty. In an era when the Government official must "assume the position of a skilled consultant" must "explain and persuade and argue and refute" must enter into a "partnership which means for him extra work, explanations, consultations, and attempts to carry others with him," must "convince rather than direct", must "prevail in consultation rather than enforce an order" (*vide* Montagu-Chelmsford Report *passim*), it will not do Government any harm if a certain latitude of thought and expression is left to its officers which may enable the local bodies on which those officers may be functioning to feel that they are not listening to a mere mouthpiece. In actual fact the hands of Government and of an officer who is loyally striving to carry out the wishes of Government will be thereby strengthened, not only as regards such minor point on which the issue may conceivably arise but also as regards far more general and important matters of policy. From my own experience (which on this subject I can claim to have been not inconsiderable) I can testify to the enormous importance attached by his hearers in such circumstances to their belief and trust that the Government officer preserves some independence of opinion and judgment. These things are all a question of degree, and much depends on whether any vital principle is really at stake. In the case quoted by the Government of Burma it may be admitted at once and freely that the earlier portion of the amendment to the Rangoon Corporation's resolution as moved by a member of the Burma Commission (in his capacity as elected

representative of the Rangoon Development Trust) was unhappily worded. Yet it will be observed from the sound portion of the amendment that the eventual result which the mover was endeavouring to achieve was in strict conformity with Government's wishes. Supposing the earlier portion had run. "That the Corporation regrets that the local Government before appointing the Rangoon Health Committee did not find it possible to consult the Corporation, etc., etc.", I venture to think that there would not have been the same cause for objection; although even then the two members of the Burma Commission might have been better advised if they had ensured that it should be moved by some one else, in order to attain the object they had in view, and had then lent it their qualified support. Leaving aside any question of becoming subject to definite pains and penalties under the Government Servants' Conduct Rules, we may regard it as established that no Government servant, whatever position he may be temporarily holding, can view with equanimity the prospect of incurring of Government displeasure, and with all deference I suggest that in the case in question it would probably have been sufficient to convey to the two officers in unmistakable terms the Burma Government's dissatisfaction with the precise methods which they had chosen to adopt. But in Government's best interests I doubt the wisdom of any alteration of the Government Servants' Conduct Rules in the manner suggested by the Government of Burma, except perhaps to a minor degree and on the lines I have indicated. Say for instance something of this kind:—"Any servant of Government, even if he be on foreign service or lent to a local body or otherwise employed outside the regular line, must exercise the greatest care in the public expression of views which can be interpreted as being at variance with those held by Government or with any action or decision of Government. This is not to say that Government desire to deprive such officers of all independence of judgment. But no expression of opinion which voices undue criticism or censure of

Government can be permitted, nor an attack on any vital principle of Government policy."

As regards the point raised in your endorsement No. 9091-Home, dated the 20th December 1927, I am of opinion that to prevent an officer serving on a Municipal Committee from criticising in any manner the policy of the Government is likely to be very embarrassing for Government servants, and will stultify the deliberations of the Municipality.

I speak from the point of view of a technical officer serving on a local body. Government may have adopted a policy which as technical advice to the board he is quite unable to support. In my opinion the object for which the technical officer is placed on the board (*i.e.*,) to advise them on matters connected with the profession from which he has been trained) will be lost if free criticism is not permitted, and it would be better for Government to nominate to the board professional men who are not Government servant.

Further, in general matters not connected with an officer's professional advice, it appears to me that if Government prohibits its servants from criticising in any manner the policy of Government, this prohibition must apply equally to criticism in support of the policy as well as adverse criticism and the presence of Government servants on local boards is useless except as voting machines.

A. M. ROUSE,
Chief Engineer.

The 3rd December 1927.

Serial No. 1a.—DESPATCH FROM HIS MAJESTY'S SECRETARY OF STATE FOR INDIA, NO. 3 OF 1928, GOVERNMENT OF INDIA, HOME DEPARTMENT, PUBLIC DATED THE 27TH SEPTEMBER 1928.

SUBJECT.—*Amendment of certain rules of the Government Servants' Conduct Rules.*

MY LORD,

We have the honour to address Your Lordship in Council on the question of amending rules 1 (a), 20 and 23 of the Government Servants' Conduct Rules.

2. In their letter No. 398/E./26, dated the 6th December 1926, the Government of Burma brought to our notice the fact that rule 20 of the Government Servants' Conduct Rules does not, as it stands, apply to oral criticism by Government servant of the policy of Government and suggested that it might be amended in such a manner as to apply to all expressions of views by Government servants. An examination of the facts reported by the Government of Burma showed that, apart from the defect pointed out in rule 20, there was considerable doubt whether the Government Servants' Conduct Rules applied to Government servants in foreign employ in view of the definition contained in rule 1 (a) of the Rules and we, therefore, invited the views of all local Governments on the general issues raised. Copies of the replies received are enclosed for Your Lordship's information.

3. So far as rule 1 (a) of the Government Servants' Conduct Rules is concerned we have reviewed the question whether the definition of the term "Government servant" contained in it requires any change and our conclusion is that it is undesirable to leave it in its present somewhat indefinite form. The use of the term "includes" in lieu of the term "means" shows that the definition does not purport to be exhaustive and this want of precision in the definition is likely to lead to difficulties when questions of interpretation are raised. The Government Servants' Conduct Rules have now acquired statutory force by virtue of Section 96B (4) of the Government of India Act and we consider it desirable that the terms used in them should be as clear as possible and that a comprehensive definition of the term "Government servant" should be laid down. It is because the present definition is not sufficiently precise that doubts

have been raised as to whether an officer in foreign service is a Government servant for the purposes of the Government Servants' Conduct Rules or not; for while on the one hand he cannot strictly be considered to be a person exercising civil office under the Government, there is on the other hand the possibility that it might be held that the present definition covers the case of an officer serving under a body which is under the control of Government. We have no doubts whatever that every Government servant, however he may be employed, should be bound by the Government Servants' Conduct Rules and we, therefore, recommend for Your Lordship's consideration in Council that the definition of the term "Government servant" should be altered as suggested in the draft enclosed with this despatch.

4. As regards rule 20, we agree with the Government Advocate, Burma, that the rule in its present form can hardly be constructed as prohibiting oral criticisms of the policy of Government by a Government servant, and we are of opinion that such criticism should be included within the scope of the rule. In this connection we may bring to Your Lordship's notice that the original rule No. 19 (which was based on Lord George Hamilton's despatch No. 144-Public dated the 6th October 1898), before it was revised and combined by the Secretary of State (*vide* his despatch No. 182-Public dated the 27th September 1912), with another rule regulating the conduct of Government servants in making comments upon the affairs of foreign countries, definitely forbade such oral criticism. Notwithstanding this previous absolute prohibition it has occurred to us, as it has to the Government of the Punjab, that some latitude should be permitted in the matter in the case of Government servants who owe allegiance to some public body of which they are members and who are expected by that body to protect its interests when these are at variance with those of Government. We have considered whether it is desirable to indicate in the Government Servants' Conduct Rules the limits within which such criticism

should be permitted and our view is that it is impracticable to attempt to definite them by rule. We therefore, propose to communicate the purport of paragraph 3 of the Punjab Government's letter of 14th February 1928 for the guidance of other local Government's with an expression of the approval of the Government of India to the General principles therein laid down.

Your Lordship will observe that the rule as drafted by us extends the scope of the present prohibition to statements capable of embarrassing the relations between the Government and the ruler of any State in India. This extension is intended to supply an omission which was not probably foreseen at the time the present rule was framed.

5. We now turn to rule 23 of the Conduct Rules amendment of which has become necessary on account of the instructions contained in Your Lordship's despatch No. 19-Services, dated the 10th May 1928. We agree with Your Lordship that the Government Servants' Conduct Rules should be brought into line with the Order in Council made by His Majesty so as to regulate the rights of the Civil employees of the Crown in India in respect of candidature for Parliament but we wish to make the required provision in rule 23 a little more comprehensive in order to cover elections to any legislative body anywhere in the world.

5. To give effect to our proposals above we have prepared draft amendments to rules 1 (a), 20 and 23 of the Government Servants' Conduct Rules in statutory form and submit them for Your Lordship's approval. If Your Lordship accepts them we recommend that they may be sanctioned by Your Lordship in Council under sub-section 2 of section 96/B of the Government of India Act.

We have the honour to be,
MY LORD,

Your Lordship's most obedient, humble Servants,
(Signed) IRWIN.

" W. R. BIRDWOOD.
" B. N. MITRA.
" MD. HABIBULLAH.
" S. R. DAS.
" G. RAINY.
" J. CRERAR.
" A. C. MC WATTERS.

List of Enclosures.

1. Letter from the Government of Burma, No. 398-E. 626, dated the 6th December 1926.
2. Letter to the local Governments and Administrations (except Burma), No. F.-46/27-Public, dated the 16th December 1927.
3. Letter from the Government of Madras, No. 6041-1, dated the 28th January 1928.
4. Letter from the Government of Bombay, No. 1951-34/D., dated the 18th February 1928.
5. Letter From the Government of Bengal, No. 163-A. D., dated the 30th April 1928 and enclosure.
6. Letter from the Government of the United Provinces, No. 5027, dated the 23rd December 1927.
7. Letter from the Government of Punjab No. 5376-Gaz., dated the 14th February 1928.
8. Letter from the Government of Bihar and Orissa, No. 1320-A., dated the 11th February 1928.
9. Letter from the Government of the Central Provinces, No. 581-3385/R-III, dated the 9th February 1928.
10. Letter from the Government of Assam, No. Apptt.-2208/7108-A. P., dated the 30th December 1927.

11. Letter from the Hon'ble the Chief Commissioner North-West Frontier Province, No. 3023-G./12-143-24, dated the 25th February 1928.

13. Letter from the Chief Commissioner, Delhi, No. 208-Homs, dated the 11th January 1928, and enclosures.

14. Draft amendments in the Government Servants' Conduct Rules.

Serial No 15—RESOLUTION.

In exercise of the powers conferred by section 96-B (2) of the Government of India Act, the Secretary of State in Council, with the concurrence of the majority of votes at a meeting of the Council of India held this—1928, hereby makes the following amendments to the Governments Servants' Conduct Rules, namely —

I. For rule 1 (a) of the said rules the following shall be substituted, namely :—

the civil service of the Crown in India, whether for the time being on foreign service or not."

II. For rule 20 of the said rules the following shall be substituted namely :—

"20. (1) No Government servant shall, in any document published under his own name or in any public utterance delivered by him, make any statement of fact or opinion which is capable of embarrassing—

(a) the relations between Government and the people of India or any section thereof, or

(b) the relations between His Majesty's Government or the Governor General in Council and any foreign country or the ruler of any State in India.

(2) A Government servant who intends to publish any document under his own name or to deliver any public utterance containing statements in

respect of which any doubt as to the application of the restrictions imposed by sub-rule (1) may arise shall submit to the Government under which he is serving a copy or draft of the document which he intends to publish or of the utterance which he intends to deliver, and shall not publish the document or deliver the utterance save with the sanction of the Government under which he is serving and with such alterations, if any, as the Government may direct".

III. In rule 23 the following amendments shall be made namely :—

- (a) In sub-rule (2) of rule 23 after the words "legislative body" the word "whether in India or elsewhere" shall be inserted ;
 - (b) after sub-rule (2), the following sub-rule shall be inserted, namely :—

"(3) A Government servant who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed, for the purposes of sub-rule (2), or take part in an election to such body" ;
 - (c) sub rule (3) shall be renumbered (4) and in that sub-rule as so renumbered, for the word and figure "sub-rule (2)" the words and figures "sub-rules (2) and (3) " shall be substituted.
-

ANSWERS.

1940

Commentary.

Precis. Some of the candidates failed to ascertain what was required to be summarised. As in paragraph 1 of serial No. IX they were required to make a precis of the replies of the officers consulted. But a large number of them wasted much of their energy and precious time in summarising the lengthy letter from the Government of India and in reproducing, in one form or the other, the points given in para 6 of that letter. Similarly, the endorsement in serial No. III was included. Paragraph 1 of serial No. IX required the Secretary, General Department, to see the Government of India letter in serial No. 1 and the endorsement of the provincial government. As such there was no occasion to give a substance of these letters. Some of the candidates summarised the notes contained in serial No. IX to XII and did not realise that these notes were supposed to have been written afterwards.

The precis was required to enable the provincial government to come to a ready decision on the three general points raised in the Government of India letter and on the specific points mentioned in paragraph 6 *ibid.* It should have been preferred in such a form as to bring together the views of the several officers consulted on each of the points under consideration. But many candidates summarised document after document as given in the question paper.

Draft. The draft in many cases was addressed, begun and closed in a wrong way. Very little attention was paid to punctuation, sequence and style. Most of the candidates tried to reproduce the notes in serial nos. IX and X without giving explanations in support of the views put forward. The candidate's merit was to be judged by how he tried to dress them up.

I PRECIS.

SUBJECT :—*Confidential reports on officers.*

On the suggestion made the by Secretary of State to the Government of India to review the whole system of confidential reports in view of the changes which had occurred since the promulgation of the Resolution of the Government of India, dated the 14th September 1915, the latter in their letter No.....dated the 3rd March 1935, raised the main question regarding the desirability of adopting a uniform practice in regard to :

- (a) the preparation of confidential reports,
- (b) the use to which they could be put, and
- (c) the communication of unfavourable reports to the officers concerned.

They called for the opinion of the Commissioner X Division, Inspector General of Police, Directors of Agriculture, Land Records, and Public Instruction. The remarks of the various authorities in regard to the points raised in para 6 of the G.I. letter were :—

(a) *provision of specific headings or general remarks.*
It was generally agreed that the form of the report should contain a column for general remarks and also the following specific headings :

- (i) private character, .
- (ii) interest, willingness, loyalty etc.
- (iii) general culture,
- (iv) personal appearance, dress, manners,
- (v) length of service under the reporting officer,
- (vi) length of service in the department,
- (vii) attendance, whether regular or punctual,
- (viii) any special work worthy of record done during the period under report. This was suggested by the Director of Public Instruction.

- (ix) work, (x) conduct. These were suggested by the Director of Agriculture.
- (xi) energy and capacity to take initiative, (xii) tact and executive ability, (xiii) magisterial and other special aptitude. These headings were suggested by the Director of Land Records.
- (xiv) suitability for promotion, crossing of efficiency bar and eligibility for special additional pension. This was suggested by the Director of Public Instruction.

While recommending that the number of specific headings should be minimum the Director of Public Instruction desired it to clarify that it was not necessary to offer remarks under each heading unless it could be done usefully and appropriately. Lest these forms might become-stereotyped the Inspector General of Police considered these specific headings only for the guidance of the reporting officers. The Directors of Land Records was of opinion that specific instances might be quoted in support of these remarks.

(b) *explicit examples of good or bad work.* The Commissioner, X Division, favoured the embodying of examples of good and bad work but the Inspector General of Police and the Director of Public Instruction considered it necessary only when outstanding instances existed. According to the Director of Agriculture, it was not necessary.

(c) and (f) *degree of personal experience of the reporting officer.* It was generally agreed that the extent of personal experience and contact by the reporting and senior officers should be mentioned as that would enable more correct weight to be attached to the opinion.

(d) *report from officers on transfer for incorporation in the report to be sent to Government.* The Inspector General of Police and the Commissioner, X Division, were in favour of such remarks being left behind. The

Director of Public Instruction and the Director of Agriculture suggested that the officers should not be required to leave a full report for their successors.

(e) *suitability for promotion, crossing of an efficiency bar and eligibility for an additional pension.* The consensus of opinion was that specific views to this effect be given if there might be an occasion for them but the Inspector General of Police suggested that the fitness for extra pension should be recommended only by the head of service.

(y) *reasons for discounting the opinion of reporting officers.* The Directors of Public Instruction and the Commissioner, X Division, were of opinion that no special provision was necessary and the matter could be left to the discretion of the superior officers. The Director of Agriculture and the Inspector General of Police thought it desirable as reporting officers, at times, were liable to be prejudiced.

(h) *Period covered by the report.* All the officers agreed that the reports should be prepared and submitted annually.

(i) *Period of service for which an officer be reported upon.* The views on this point differed widely.

The Director of Public Instruction favoured the present system of reporting upto the end of the officers career while the Director of Agriculture considered this essential in the case of a gazetted officer whether acting or permanent.

The Inspector General of Police suggested four months as minimum and the Commissioner, X Division, fixed it as one year.

(j) *Inclusion in personal file of special reports regarding suitability of an officer for promotion.* It was unanimously agreed to include in the personal file of the officer any special reports in response to enquiries regarding his conduct or fitness for promotion.

(k) *Whether final orders of the Governor were required by Rules of business.* The Director of Agriculture showed his inability to answer it. Others kept silent on this point.

With regard to the question whether or not the authority conducting an inquiry into the alleged misconduct of an officer should have access to confidential reports, all the officers consulted were generally in favour of supplying them for reference. The Inspector General of Police, the Director of Agriculture and the Commissioner, X Division, however, held that to avoid prejudice it was desirable not to furnish the record until the enquiring officer had arrived at his findings when it might be made available only for decision regarding punishment. The Director of Land Records considered them to be good evidence as these contained observations by independent officers at time when the matter was not an issue in any enquiry.

Regarding the communication of unfavourable reports to the officers concerned, it was generally held that the instructions laid down in the Resolution of the Government of India 1915, namely, that no officer should be kept in total ignorance for any length of time that his superiors were dissatisfied with his work, should be followed. According to the Director of Agriculture and the Commissioner, X Division, it was more necessary in the case of remediable defects. The Director of Land Records and the Commissioner, X Division, however, apprehended that the communication of irremediable defects would create undesirable estrangement in the official relationship of the officers and ill-feeling would be created. To avoid this the former and the Director of Agriculture advised that this might be done only if it is persistent for two or three consecutive years. The Inspector General of Police suggested that such remarks, if not substantiated, be held up for several years by which time their repetition or omission would make the position clear. The Director of Land Records was of the view

that before adverse remarks were repeated the officer might be asked to explain his conduct through proper channel so as to afford a chance to him to clear his position.

The Director of Agriculture and the Commissioner, X Division, thought it advisable that the adverse remarks should be communicated or quite informally, so as not to hurt the officer's feelings or to discourage him.

H D R A F T.

NO.....

Government of X.
General Department.

From

The Secretary to the Government of X,
General Department.

To

The Secretary to the Government of India,
Ministry of Home Affairs,
New Delhi.

Dated.....the.....

SUBJECT : *Confidential reports of officers.*

Sir,

I am directed to invite a reference to the letter from the Government of India, Ministry of Home Affairs, No.....dated the 3rd March 1935 regarding the desirability of adopting a uniform practice in regard to (a) the preparation of confidential reports, (b) the use of which they can be properly put, and (c) the communication of unfavourable reports to the officers concerned.

2. I am to state that, in the light of the opinion of the various officers in the province who were consulted, the Government have come to the conclusion that the

principles laid down in the Government of India Resolution No.....dated the 14th September 1915 have not proved inadequate. The instructions given there in if properly carried out, are still sound but considering the extended use of confidential reports by the provincial Governments and the Public Service Commissions, additional instructions appear to be desirable so that much greater care may now be given to the drawing up of these reports.

3. With regard to the different points mentioned by the Government of India in para 6 of their letter referred to above I am to report as follows :

(a) As regards the form of the report it is necessary that, in addition to a column for general remarks, there should be specific headings, lest these reports may become discursive and casual and lead to real want of consideration on the part of the reporting officers. List of specific headings which may be suggested is given in the annexure for information. As the different departments, will require forms with different specific heading according to their individual requirements, the question of drawing up new standard forms has, therefore, been taken up with the departments and copies of these will be sent to the Government of India when they are ready.

(b) It is preferable that special cases of praise or condemnation may be illustrated by quoting instances to avoid the influence of bias or prejudice.

(c) and (d) The mentioning of the extent of personal experience or contact with the reporting and the senior officers is necessary as it will enable more correct weight to be attached to the opinion.

(d) The officer on transfer may be required to leave behind reports on his subordinates for his successor for incorporation in subsequent reports provided they are based on sufficient experience.

(e) The remarks regarding suitability for promotion, crossing of an efficiency bar and eligibility for an additional pension may not be made, unless it be to provide for cases in which the officer reported upon is shortly due for promotion. Such information can always be called upon at the appropriate time.

(g) In view of the fact that the opinion of the reporting officer is at times liable to be prejudiced the superior officer may be required to give his remarks on the soundness of judgment or otherwise of such a report.

(h) The present practice for the preparation and submission of annual reports may continue.

(i) In the interests of good administration the officer may continue to be reported upon throughout his service until he becomes the head of the office.

(j) Special reports in response to enquiries regarding the officer's conduct or fitness for promotion may be included in his personal report.

(k) No specific provision in the Rules of Business of this Government prescribe that reports or at least adverse reports on Secretary of State's Officers, require the final orders of the Governor but other instructions have been issued in order to enable His Excellency the Governor to discharge his special responsibilities to ensure this.

4. As regards the use to which these confidential reports can be put and whether or not an authority conducting an enquiry into the alleged misconduct of an officer should have access to all papers in the confidential reports relating to the officer concerned, the Government agree with the Government of India that fullest use should be made of the reports in non-disciplinary matters such as, in regulating promotions and appointments and in respect of the admissibility of extra additional pensions. However there appears to be no justification

in making available to an enquiring authority or tribunal the whole confidential record of an officer in disciplinary cases as a matter of course when his general character is not in issue. Material relating to any specific point or charge may be supplied when necessary. After a decision has been reached, that an officer is guilty of specific charges, there should be no objection to making the whole record available in order to assist the tribunal in the assessment of punishment.

5. With regard to the communication of unfavourable reports to the officers concerned the Government entirely agree with the Government of India that the principle laid down in the Government of India Resolution of 1915, that no officer should be kept in total ignorance for any length of time that his superiors are dissatisfied with his work, should be followed. But there may be cases in which there is difference of opinion as to what defects are really 'irremediable', a decision on this point ultimately rests with Government or Heads of Departments who must see that adverse remarks are communicated in suitable cases. As to the method of doing so, it is suggested that this should, when possible be done by word of mouth so that due allowance is made for the temperament of the officer concerned.

Yours Faithfully,

.....

Secretary, Government of X
General Department.

ANNEXURE

- (i) private character,
- (ii) interest, willingness, loyalty etc.,
- (iii) general culture,
- (iv) personal appearance, dress, manners,
- (v) length of service under the reporting officer,

- (vi) length of service in the department,
- (vii) attendance, whether regular or punctual,
- (viii) any special work worthy of record done during the period,
- (ix) work,
- (x) conduct,
- (xi) energy and capacity to take initiative,
- (xii) tact and executive ability,
- (xiii) magisterial and other special aptitude,
- (xiv) suitability for promotion, crossing of efficiency bar and eligibility for special additional pension.

1941

Commentary.

Precis. Candidates failed to appreciate and therefore correctly present the prominent points. In most cases expression was loose. In generalising common viewpoints some candidates attributed to all the associations certain points which were actually held by some of the associations. There was a tendency to use long sentences in the beginning and in one case, the first sentence covered nearly two pages.

Draft. Serial No. XV, which was only an attempt at attaining the views of important associations of employers and workers, was slavishly followed in putting up the draft. Only in few cases there was an attempt to give an individuality to the draft. Some of the candidates used the first person in communicating the views of the provincial government.

I PRECIS.

SUBJECT: *Sickness Insurance for workmen.*

In their letter No. W-4581, dated the 10th January 1940, the Government of India, in the Labour Department, referred the Provincial Governments to the proceedings of the first conference of Labour Ministers held

in January 1940 regarding the question of sickness insurance for workmen. It was held that the problem was not so much due to lack of medical facilities but of help during the period when the worker was unable to work and earn a living owing to sickness. The Conference had concluded that sickness benefit funds to which the employers and the employees should contribute compulsorily would be appropriate for this purpose. The Government of India, therefore, asked the Provincial Governments to furnish them, along with their comments, the opinion of the important associations of employers and employees in the province regarding the acceptance of this principle of compulsory contribution to such funds.

2. The Government of X forwarded the letter of the Government of India to the Commissioner of Labour and the Chief Inspector of Factories for submission of their views, after consulting important associations of employers and workers in the province.

3. The replies received showed that the employers' associations on the whole were not against the proposal, majority however were of the opinion that the consideration of the scheme should be deferred to a more opportune time. The workers' unions, appreciated its necessity, but were opposed to any scheme involving compulsory contribution on account of their low wages and high cost of living. They were of the opinion that contributions for a scheme of this sort should come from sources better able to bear the burden namely, the Government and the employers.

4. While conceding to the view that contributions to such a scheme should be made by the workers and the employers, the Tramway Workers' Union and the Indian Merchants' Association pointed out that in some of the highly industrialised countries contributions towards such funds were made by the State as well, and therefore it should be done in India also, where the industries were not prosperous. They suggested that

the scheme should be applied to prosperous and large scale industries and plantations in the first instance. The Transport and Carriers' Association and the Chamber of Commerce, supported it and pointed out that it would not be workable in small trades where labour was casual and not employed permanently.

5. The workers' unions stated that the scheme would be found beneficial by the workers owing to the economic impasse to which they were reduced during illness because of cessation of work and increased expenditure due to medicines. The Commissioner of Labour, the Electric Supply Co., the Labour Union and the Tramway Workers' Union apprehended that owing to low wages prevailing in India it would prove extremely hard for workers to contribute their quota. Accordingly the former suggested that workers getting less than annas twelve per day be exempted from the payment of their contributions and this should be paid by the employers, in addition to their quota, while other workers might contribute not more than 6½ per cent of their actual monthly earnings provided the employers were made to contribute four times the amount paid by the workers.

6. The Chamber of Commerce considered the introduction of the scheme at the present time due to heavy cost of living, as premature and suggested, that the consideration of the scheme might be deferred to the end of the war, when the conditions would be better. The Chief Inspector of Factories also agreed in view of the political situation.

7. The employers' associations felt that most of the benefits embodied in the proposals were already provided by the employers. A large number of well-established industries and firms had provided free medical attendance for their workers and their families by maintaining dispensaries and maternity homes and by contributing liberally to the various local medical institutions. Besides, annual leave with pay ranging from

a period of 15 days to a month subject to the fulfilment of certain conditions was also allowed in conjunction with sickness leave,

The C. D. Cement Co., suggested that the leave benefits might be abolished and the amount so calculated paid as premium to some insurance company so that the workers might be insured against sickness.

The Tramway Workers Union, the A.B. and the S. V. Oil Companies desired the Government to ascertain to what extent these benefits were enjoyed by the workers and suggested that, where the employers were not reasonable, Government might consider the introduction of legislation making the provision of a reasonable amount of sick leave with pay incumbent on employers

8. The Chamber of Commerce and the S. V. Oil Co., in referring to many practical difficulties peculiar to industrial conditions in India, pointed out that there were very wide variations in the ordinary terms and conditions of service granted to their employees by different industries in India. The effect of compulsory insurance scheme, would be that employers and employees of well-managed industries would be called upon to assist in financing the extension of benefits to industries where such privileges were not enjoyed and where sickness for various reasons would be more common. They urged that the Government should not embark upon a costly and complicated measures such as sickness insurance without a very through examination of the factors involved.

II DRAFT.

No.....

From

The Secretary to the Government of X.
Local Self Government Department.

To

The Secretary to the Government of India,
Labour Department,
New Delhi.

Dated.....the.....

SUBJECT : *Sickness Insurance Fund for workers.*

Sir,

With reference to your department letter No. W-4581, dated the 10th January 1940, I am directed to forward herewith, as desired, copies of the letters conveying the views of the important associations of workers and employers in the province on the question of acceptance of the principle of compulsory contribution to sickness insurance. I am to state that though the workers in view of their wages and the present high cost of living, are opposed to any scheme involving compulsory contribution, yet they generally appreciate the idea of sickness insurance funds. The scheme would be found beneficial by them owing to the economic impasse to which they are reduced during illness because of cessation of work and the increased expenses that they have to incur in buying medicines. It is, however, apprehended that, owing to low wages prevailing in India at the present moment and the high cost of living, it would prove extremely hard for them to contribute their quota but, if the contributions are small, the reluctance to contribute to the scheme in the initial stages may be overcome when it is realised that substantial benefits are forthcoming. On the other hand, it is suggested that certain low paid workers may be exempted from the payment of their quota which may be paid by the employers themselves, in addition to their own, so that these workers may also, receive the benefits of the fund.

2. The Government suggest that contributions for a scheme of the sort should come from sources better able to bear the burden namely, the employers and the Government. In some of the industrial countries in the world the contributions towards the fund are made by the State as well, and this should be done in India also, where the industries are not prosperous.

The Government of X also wish the Government of India to consider whether the scheme may not be made applicable only to prosperous and large scale industries and plantations, in the first instance. It will not be workable in small trades where labour is casual and not employed with any degree of permanence.

3. As regards the employers, they are not against the scheme for sickness insurance. The majority of them have stated that most of the benefits embodied in it, which labour should enjoy partly at their cost, are already provided entirely by them in as much as free medical aid for the workers and their families is given by maintaining dispensaries and maternity homes or by contributing liberally to the various local medical institutions. Leave with pay ranging from a period of 15 days to a month subject to the fulfilment of certain conditions is also allowed in conjunction with sickness leave. The Government of X are, therefore, of the view that all questions of social legislation such as sickness insurance, holidays with pay, and other questions of a like nature should be handled together so that the interests concerned may be in a position to assess the cumulative effect of the burdens which are likely to be imposed on them.

4. In view of the existing facilities and as the workmen have very little margin between their pay and the cost of living, the Government of X feel that the introduction of the scheme at the present time, when many employers may not be in a position to contribute, seems premature and suggest that its consideration may be deferred to a more opportune time namely, until the end of war when the conditions will be normal and times generally prosperous.

Yours Faithfully,

.....

Secretary,

Local Self-Government Department,
Government of X.

1942

Commentary.

Precis. Many candidates did not spend sufficient time in a thorough reading of the correspondence. They could not, on this account, produce a good precis. Too much attention was given to detail the numbers and the dates of letters. Some candidates spent much time in writing out a rough precis and copied it latter on. They omitted the draft part of the question altogether or simply rushed through it neglecting important points. Consequently they ran the risk of failing in the paper as a whole. Some candidates did not mention the grounds on which the opinions were based. Many candidates stated that for cooking purposes, animal ghee was no better than vegetable ghee *vis-a-vis* vitamin content, but unfortunately omitted to mention the superlatively important reason that unlike vegetable ghee, animal ghee loses vitamins in the act of frying and baking. Those who departed from the chronological order in making a precis of the correspondence got confused. In this case, the correct procedure was to begin with the proposal of the Government of the Punjab to the Government of India. Thereafter, it should have been mentioned that being in doubt as to the desirability of the legislation proposed, the Government of India sought the opinion of the Government of 'A'.

Draft. Many candidates, in constructing the draft, mentioned that copies of the letters from the Commissioners and commercial concerns were enclosed. It should be borne in mind that in an examination no omission of important material from the draft can be regarded as in any way supplied by the mere fact that copies of correspondence have been enclosed. On the other hand, such an enclosure should not be indicated at all, unless the question requires it.

I PRECIS .

SUBJECT—*Prohibition on the import and sale of Vanaspati ghee.*

Consequential to the debate in the Punjab Legislative Council on the Resolution relating to the sale and import of vanaspati ghee, the Government, in their letter No. 33106-M-Medical, dated the 15th December 1927, in forwarding a copy of this resolution to the Government of India, pointed out that vegetable ghee which was deficient in vitamins was being sold on a large scale mixed or unmixed with natural ghee and the convictions with fine, provided under the Punjab Adulteration of Food Act 1919 had not acted as a preventive. As natural ghee had its food value, they strongly advocated legislation to prohibit the import of such products into, or manufacture, within India unless they were coloured in such a way that they could not be mixed with or passed off as pure ghee without immediate detection.

2. The Government of India appreciated importance of effective measures to ensure that the article sold as ghee was really pure ghee. The vegetable products, though deficient in vitamins, were, in their opinion, harmless and their colouring with an aesthetically offensive colour, would discourage this trade. The Government of India apprehended that firstly this might lead to the extended use of harmful adulterants and secondly increase the price of pure ghee which was already very high owing to shortage of supply.

3. Before arriving at a decision, the Government of India requested the Local Governments to furnish their views after consulting the commercial and other interests on the following points:

- (i) whether the proposal of the Punjab Government for colouring the vegetable products was acceptable.

- (ii) whether there was any alternative proposal to ensure that the purchaser of ghee obtained the genuine article, and
- (iii) whether the use of these articles was injurious to health.

4. In forwarding a copy of the letter from the Government of India, the Government of A, accordingly invited the views of the Commissioners of U, V, W and X Divisions; Y and Z Chambers of Commerce and M/s Burrows Ltd., Importers. It was pointed out to them that the Royal Commission on Agriculture were opposed to the unrestricted sale of vegetable ghee which was recognised as cheap and wholesome foods provided they were sold as such.

5. The replies received revealed that all of them were opposed to the proposal for colouring the vegetable products.

M/s Burrows Ltd., pointed out that the agitation had been directed by interested parties to render the sale of vegetable products impossible in India and the suggestion to colour them, with particular colours, was designed to kill the trade by rendering them disagreeable to sight. The uneducated Indians, incapable of recognising their value as food products, would feel it derogatory to ask for the coloured vegetable ghee. According to the Z Chamber of Commerce, the opposition by vested interests was further manifested in the levying of terminal taxes by certain municipalities in the Punjab.

6. M/s Burrows Ltd., and Y Chamber of Commerce also pointed out that as the demand for pure ghee was in excess of the supply the colouring of the vegetable products will not prevent its adulteration, which had been done for many years past, but would perpetuate it with articles of harmful character yielding lamentable results.

7. The Y Chamber of Commerce asserted that the legislation was unnecessary as the provision for the protection of the consumer already existed in the Indian Penal Code and the various Acts and Resolutions of the different provinces. Moreover there was a genuine demand for these product on merit and even when mis-used as adulterants they had, according to the Z Chamber of Commerce, been more useful than harmful. They took the place of low grade and unwholesome adulterants and cheapened the cost of the ghee to the consumer and stopped profiteering. They also provided the poorer classes with a cooking medium at reasonable cost.

The Commissioner of X Division did not consider that these products were deleterious and was of the opinion that the legislation was unnecessary when the oils of olive etc., had been in use for thousands of years.

8. There was a general agreement to regulate sales in such a manner that vegetable products should be correctly described as to ensure that they are purchased on their intrinsic value and their sale, as pure ghee, declared illegal and punishable. The M/s Burrows Ltd., also favoured legislation for the prevention of adulteration of pure ghee with them.

9. As regard their effect on health, these products were recognised as cheap and wholesome. The Z Chamber of Commerce and M/s Burrows Ltd., in supporting this view, stated that the products were manufactured from such articles as cotton seed, coconut etc., under hygienic conditions in sanitary up-to-date factories. The medical authorities had never declared them detrimental to health as reported by the Surgeon General of Bombay. The Commissioner, U Division added that, in the opinion of the Director of Health, these were not harmful or injurious.

As regards their nutritive value, vitamin content etc., they were decidedly inferior to pure ghee when used like butter but possessed the same value when used for frying, baking and cooking purposes.

II D R A F T .

No.....

GOVERNMENT OF A.

Local Self-Government Department.

From

The Secretary to the Government of A,
Local Self-Government Department.

To

The Joint Secretary to the Government of India,
Ministry of Commerce.
Simla.

Dated.....the.....

SUBJECT: *Restrictions on the sale and manufacture
of vanaspathi ghee.*

Sir,

I am directed to refer to the letter from your Department No. 532-T (2) dated the 5th July 1928 inviting the opinion of this Government on the proposal of the Punjab Government for colouring the vegetable products so that they cannot be mixed with or passed off as natural ghee, calling for an alternative proposal, if any to that effect, and enquiring if the use of the products in question is injurious to health.

2. The matter has been carefully considered in consultation with commercial and other interests concerned in the province and this Government have come to the conclusion that the proposed legislation is not at all necessary as the provisions for the protection of the consumer already exist in the Indian Penal Acts and the various Acts and Resolutions of the different provinces. On the other hand it has been observed that there is a genuine demand for these products on merit because they are cheap and wholesome and as cooking medium, are as good as natural ghee.

The main object of the legislation, as understood from the letter of the Punjab Government No. 33106-M-Medl, dated the 15th December 1927, seems to be to put an end to cheating practised on a large scale by selling these products mixed or unmixed with natural ghee as natural ghee. This Government consider that the colouring of the vegetable products instead of preventing adulteration will have the effect of perpetuating it with articles of obnoxious character as the demand of pure animal ghee has increased though there is no corresponding increase in cattle population.

It has also been observed that when these products are used as adulterants they have proved more useful than harmful. They cheapen the cost of ghee to the consumer by reducing its price to a reasonable level and thus stop profiteering.

4. Under the circumstances the Government are of opinion that the agitation against vegetable products has been directed by vested interest to render their sale impossible. The proposal to colour it with particular colours, before it is put into the market, is meant to kill the trade as it may look unpleasant to sight. People in India who are not so much educated as to recognise their value as food products and to buy them on account of their intrinsic merits will feel it derogatory to ask for coloured products.

5. It will not be out of place to mention that certain municipalities in the Punjab have proposed and have sanctioned levying terminal taxes on vegetable ghee which, in the opinion of this Government are both prohibitive and unwarranted.

6. This Government however, realise the necessity of effective measures in order to ensure that the article sold as pure ghee is not adulterated. This can be achieved by making the labelling of vegetable ghees compulsory and making legislation for declaring the adulteration of pure ghee with vegetable ghee as illegal and punishable.

7. Medically the products are wholesome and nutritious foods. These are manufactured from articles such as cotton seed, coconut, under hygienic conditions in sanitary up-to-date factories. Innumerable analysis tests have been applied and widely published but no where it has ever been said or suggested by medical experts that vegetable products are, or can be, injurious to health.

It is true that considering the vitamin constitution the vegetable products are inferior to animal ghee but these have little difference when used for frying and baking purposes.

Yours faithfully

.....
Secretary,

Local Self-Government Department.
Government of A.

1943

Commentary.

Precis and drafting. Unimportant points were included and important points were omitted.

The facts were either reproduced inaccurately or they were not compressed into concise language. In order to grasp the subject clearly, the correspondence should have been read quickly at first and slowly for the second time. Thereafter, important points should have been *extracted* in the form of rough notes and after a careful check of these notes the precis and the draft should be based on them.

I. P R E C I S.

SUBJECT : *A bill to impose a duty on excess profits arising out of certain businesses.*

The Government of India, in the Legislative Department, in forwarding with their letter No. 3988 dated the 13th December 1948, copies of the Statement of Objects and Reasons, (reproduced below) of the bill to impose duty on excess profits invited the opinion of the Government of X and opinions of selected officers and other persons who might be consulted by the latter.

Statement of Objects and Reasons.

"On the 10th of September 1918, a Resolution was adopted by the Indian Legislative Council declaring that the prolongation of the war justifies India's taking a large share than she does at present of the cost of the military forces raised or to be raised in this country. It is the object of the present Bill to raise money, by the imposition of an excess profits duty, towards the cost of the measures proposed to give effect to this Resolution.

Although no guarantee can be given by the Government on the point, the change which has recently come over the military situation makes it possible that the sum to be raised by the duty will not be required for more than one year and the duty is therefore, imposed by the Bill only on the profits of a single year. The proposed duty will absorb fifty per cent of the excess of the profits made in an accounting period of twelve months over a certain standard called in the Bill the "standard profits". The accounting period consists of the twelve months ending on the 31st March 1919, unless a different period of twelve months has been taken for the income-tax assessments of that year, when that period is taken; and the profits of the accounting period are those ascertained for income-tax purposes. Standard

profits are calculated on different bases when the business subject to the duty has been assessed to income-tax in the course of the four financial years, 1913-14, 1914-15 1916-17, 1917-18 and when it has not.

When a business has been assessed to income-tax in the four years, the standard profits will, under the Bill, be the average profits as assessed for income-tax purposes, with proportionate increases of the assessment if any of the years covered a period of less than twelve months. When it has not been assessed to income-tax in the four years, the standard profits will be calculated at ten per cent on the capital of the business at the end of the accounting period. With slight modifications, the provisions of the British Excess Profits Duty Acts are followed for the calculation of the capital of the business on their part."

2. The Government of X invited the views of the Board of Revenue and the Commissioners of the Divisions on the provisions of the bill. From the replies received by them it would appear that the Board of Revenue and the Commissioner, 'C' Division, were in favour of the proposed taxation. They deprecated the suggestion that as the war was over, the bill should not be passed and asserted that the enhanced military expenditure and requirements consequential to the war would continue to be incurred for a year or so until peace was finally declared. The necessity of taxation for payment of heavy debts already incurred on account of the war was also pointed out by them. Besides, they considered it fair to impose taxation on those who had reaped large and unexpected profits and could contribute towards the cost of war.

3. The Commissioners of A, B and D Divisions were not in favour of the bill. Firstly, as the war had practically ended, which was not anticipated when the resolution was adopted, and as the Government of India had been relieved of a large part of the charges, the

imposition of taxation was not justified. The Commissioner of A Division further pointed out that the Imperial receipts were greatly in excess of budget estimates. Railways had done well and the rise in exchange had benefited the Government in meeting their liabilities at home, the Government, was therefore, advised to abandon the proposal which could be justified only as a war measure.

Secondly, to enable India to take her due share in the great trade and industrial activity ensuing in the world with the return to peace conditions, capital must, according to the commissioners of A and D Divisions, be conserved rather than dissipated as it would be if the bill became law. The excess profits tax, which would be paid out of the profits, could be utilised for the extension and improvement of business and industrial enterprises. The Commissioner 'D' Division also stated that the levy of the tax would discourage and depress the nascent industries and capital was likely to divert from this country. The Commissioner of 'A' Division further informed that the anticipation of the imposition of the tax had already produced a general and disastrous fall in the price of shares and consequential loss to the unfortunate holders.

Lastly, the Commissioner of 'D' Division felt that the burden of tax would not fall equally in all cases, owing to the conditions in this country and to the fact that certain trades had been controlled while others were not. The Commissioner of 'B' Division, while discussing the position of coal, indigo, tea and other smaller industrial concerns, advocated the exemption of these industries from the operation of the new act and suggested that the bill should be confined to jute and cotton which had made enormous profits during the war.

H D R A F T .

NO.....

Government of X.
Finance Department.

From

The Secretary to the Government of X,
Finance Department.

To

The Secretary to the Government of India,
Legislative Department.
New Delhi.

Dated.....the.....

SUBJECT : *A Bill to impose a duty on excess profits
arising out of certain businesses.*

Sir,

I am directed by the Governor in Council to invite a reference to the letter from your department, No. 3988 dated the 13th December 1918, calling for the opinion of this Government on the provisions of the bill to impose duty on excess profits arising out of certain businesses. As desired by the Government of India the Board of Revenue and the Commissioners of the Divisions were consulted on the necessity of the proposed taxation. I am to forward herewith copies of the replies received from them and to state that the Governor in Council has considered the matter regarding the imposition of the excess profits tax and is of the opinion that it can be justified only by extreme necessity and as a war measure. If, therefore, it had been imposed at a reasonable rate, at the same time as in England, there could have been no valid objection to such a tax. In the last autumn when the Government of India announced their intention of imposing such a tax because of the necessity of rising enormous new armies, apparently, to

resist an invasion of India through Persia and Afghanistan, no one raised any objection. But, when the war came to an end in November last and the Government of India announced their intention of still proceeding with the excess profits bill to cover other expenses, naturally, there was a storm of opposition. Now that the war has practically ended, which could not be anticipated at the time the resolution was adopted in the Legislative Council, such a tax could not be justified. It does not, therefore, seem desirable to press such a measure some months after the armistice has been signed.

2. Besides, India has been relieved of a large part of the charges which it would have otherwise to meet. The Imperial receipts are greatly in excess of the budget estimates. Railways have done well and the rise in exchange has benefited the Government greatly in meeting their liabilities at home. In view of this improvement in the financial position of the Government the argument, that the bill is necessary to collect tax for coping with the enhanced military expenditure and requirements consequential to the war, hardly finds favour with the Government.

3. If India has to take her share in the great trade and industrial activities which are likely to ensue throughout the world on return of peace conditions, it is necessary that capital must be conserved and not dissipated, as it will be if the bill becomes law because the tax will have to be paid out of that portion of the profits which can be utilised in a large number of projects for the extension and improvement of business and individual enterprises and the development of new industries which have been worked up and many of them recently floated.

4. It is recognised that industrial development in India should be encouraged and the flow of capital into sound industrial businesses stimulated but the Government is afraid that the levy of the excess profits tax will discourage and depress nascent industries and capital will

tend to divert from this country. It will, therefore, be impolitic to do anything that is likely to check the growth of enterprise, which is essential politically and economically in its early life.

5. The mere anticipation of the imposition of this tax, which was not expected when the war had ended, has produced a general and disastrous fall in the price of shares and consequential loss.

6. Owing to the conditions in this country and due to the fact that certain trades like the coal industry have been controlled and others like jute and cotton not controlled the burden of the tax will not fall equally in all cases. It will press more heavily on some industries than upon others, which the Government does not consider justified.

I am, therefore, to suggest that the bill for the imposition of the duty be abandoned. If, however, the Government of India still intend to proceed with it, the coal, tea and other smaller industrial concerns may be considered for exemption from the operation of the new Act.

Yours Faithfully

.....
Secretary,

Finance Department,
Government of X.

1944

Commentary.

Precis. Instead of enunciating the principles laid down by the Government of India and the reasons therefore, most of the candidates slavishly mentioned the impressions formed by the Government of India regarding the allocation and expenditure of the amounts allocated last year and then indicated the principles.

Again, some of the candidates mentioned all the details contained in the Madras Government letter instead of concentrating on the special schemes and the features peculiar to that province. Some of them did not bring out even the main points peculiar to Madras but tried to generalise as if similar replies were also received from other provinces.

Draft. Most of the candidates spent too much time on the precis. They were left with little time for draft, consequently, they left it incomplete. Some of the drafts were nothing but a precis of the correspondence, while a few drafts suffered from wrong emphasis or loose expression. Almost the entire draft could have been based on the Government of India letter No. D. 1274/B-37 dated the 20th February 1937, but a very few candidates took advantage of this letter.

I. P R E C I S .

SUBJECT: *Rural Reconstruction Grants.*

In their letter No D-2598-B, dated the 29th June 1936, the Government of India, in the Finance Department, addressed the Local Governments and Administrations on the subject of the utilisation of the Government of India grants for rural reconstruction and stated that the amount of rupees two crores, which represented the sum of Rs. 92½ lakhs placed at the disposal of the Local Governments during 1935-36 and Rs. 103 lakhs made available for 1936-37, was their maximum contribution to the provinces within any foreseeable future. With a view to expending the amount to the greatest advantage, the Government of India asked the Provincial Governments to re-examine and modify the schemes of rural reconstruction in the light of the following general principle deduced from a careful perusal of the provincial reports, notwithstanding the fact that the needs of the provinces, were not identical and the schemes undertaken last year were experimental and most of them incomplete:

- (i) Except in one or two provinces effort had tended to become diffused over too wide a field and it was essential to avoid this by concentrating, as some provinces had done, on two or three main heads *e.g.* improvement of rural communications, improvement of water supply and consolidation of holdings.
 - (ii) As the grants to the provinces were not liable to lapse at the end of the financial year, short range schemes should be avoided to achieve stable results and these might be based on a definite policy and plan for spending the amounts available over a period say, five years. The plan may also embrace anticipated amounts from unallocated funds or funds made available by re-allocation.
 - (iii) The execution of actual schemes should be definitely dependent on the contribution that the villages or areas which had to benefit might make to the extent of at least one third either in cash or in kind (by labour or the like). This would extend the benefits and evoke closer and more co-operative interest on the part of the cultivators themselves.
 - (iv) Except for special reasons and wherever the nature of the scheme did not permit there should be maximum degree of delegation, regarding the power of allocation of grants and to the actual execution of schemes, to the district officers to ensure complete freedom of initiative and development who may be intimated the object of expenditure. The Local Government might restrict themselves to periodical inspections of schemes and review of the reported results so as to secure conformity of local effort to the common plan and its modification on co-ordinated basis.
- The Government of India desired that copies of such periodical reports of the provincial reviewing

officers and a consolidated review of progress for the whole province at intervals of six months to be sent to them.

- (v) The bulk of the grants (say 80 per cent.) might be allocated to districts on a rural population basis and the remainder allocated within the two or three approved schemes to specially needy districts or possibly to special schemes to meet special local exigencies.

2. They also, desired information on the following points :—

- (a) the particular categories of schemes which the Madras Government wished to adopt,
- (b) the amount they proposed to divert to such categories from allocations made to other purposes under the last year's grants, and
- (c) the extent and nature of the delegation proposed to be made to districts and the arrangements contemplated for the periodic inspections referred to above.

3. (a) The Government of Madras stated in reply that they proposed to spend the grant on the four objects on which it was utilised last year, namely (i) improvement of water supply, (ii) rural sanitation, (iii) village communications including bridging of irrigation canals and channels at places where there were no roads, and (iv) on encouragement and development of co-operative loan and sale societies by giving partial grants for the construction of godowns (with or without village hall-cums-reading rooms) and in specially deserving cases grants might be utilised to meet the cost of the staff required to run the societies for the first few, say, three years with a view to assisting the ryot to get a fair price for the crop. As the evil of fragmentation was not very great in that province they did not consider that any special steps were required for the consolidation of holdings.

(b) Regarding the re-allocation of grants made last year, they called for a report on the amount that could be withdrawn and added to the grant of the new year but doubted if it would be appreciable.

(c) They, while recognising that the scheme should be financed on a contributory bases, accepted the condition that the minimum collection from villages and others should be one third (in cash or in kind) but proposed to fix different rates of contributions for different classes of schemes. They also suggested that contributions from philanthropists, district boards, and public associations might be accepted as equivalent to contributions from villages, subject to a distinct understanding that, the control of the scheme, by the Collector, would not be affected thereby.

(d) On the execution of schemes they agreed to afford the fullest freedom to the collectors of districts and recommended that the financial control over expenditure should be exercised by the Finance Department. With regard to the inspection of works, they proposed to entrust it to the Board of Revenue in the absence of Divisional Commissioners in that province. In addition, the Commissioner of Labour and Rural Uplift would also be instructed to inspect the schemes during his tours and submit reports to the Board of Revenue. All these reports and a consolidated progress report prepared every six months, would be furnished to the Government of India by the Finance Department which will exercise the financial control.

(e) The Madras Government further accepted the proposal of Government of India regarding the distribution of the amount available over districts on a rural population basis.

4. Having reviewed the proposals and observations of the provincial governments the Government of India decided to attach to further allotments the conditions set forth in their letter, dated the 29th June 1936,

subject to the following modifications:—

- (a) The grants should be devoted to schemes for improvement of rural communications, water supply, rural sanitation and improvement of cattle or distribution of improved seed.
- (b) In respect of the proposal of 5 years for the working of the schemes, the Government of India agreed that the expenditure might be spread over somewhat shorter period but not less than 3 years provided the local Governments aimed at the achievement of stable results. The Government of India also accepted the proposals of the Local Governments in regard to the allocation of the first year's grants, a procedure which would naturally be restricted by the extent to which those Governments had entered on commitments from which they had found it impossible or highly undesirable to resile.
- (c) The Government of India felt that contributions by philanthropists, district boards or public associations would not evoke cultivator's interest and co-operation and were reluctant to agree to widespread relaxation. However, they agreed to waive this condition in the case of certain schemes which did not admit of the application of this principle and these should not ordinarily account for more than 20% of the grant.
- (d) As regards the proportion distributable on the basis of rural population they modified to reduce it to two-thirds of the grant instead of 80% as originally proposed.

9. In conclusion the Government of India called for the consolidated reports by certain dates and intimated that further allotments would be made as and when funds are required for expenditure.

II DRAFT.

It has been omitted as under the present constitution no despatches will be sent to the Secretary of State.

1945.

Commentary.

Precis. Most of the candidates reproduced the draft rules in their precis. Some of them tried to make a precis of the rules themselves. This they made unnecessarily long. Many candidates concentrated on the views regarding the imposition of fine and the time for appeals. They failed to mention other amendments in the rules suggested by various departments. It was essential to refer to a department which suggested a particular amendment.

Draft. A good many mistakes were noticed in the draft. Some of the candidates began the draft as a memo, but thereafter used the first person while others advocated certain amendments or actually invited further suggestions in the draft rules although it was clearly stated in the question that the draft was to be based on the amendments suggested in the letter from the Legislative Department in their memo No. 381-Leg-R, dated the 17th September 1933.

I P R E C I S.

SUBJECT : *Draft rules to regulate the discipline and appeals of members of subordinate services.*

The Government of X in the appointment Department forwarded, along with their memo. No. 1772-81 A-R dated the 10th June 1933, a copy of the draft rules provisionally framed under rule 54 of the Civil Services (Classification, Control, and Appeal) Rules to regulate the discipline and appeals of the members of the subordinate services under the control of Government, t

all the other Departments and requested them to communicate their comments on those rules especially in respect of the inclusion of fine as one of the penalties and the limitations which should be placed on the power to impose it.

2. From the replies received it would appear that all the departments excepting the Political and Judicial Departments generally agreed to the adoption of the rules subject to minor modifications.

3. As regards the imposition of fine as one of the penalties, the Irrigation and Education and Development Departments were against it. That Department considered the introduction of fine as punishment contrary to the orders of the Government of India, contained in the Home Department circular No. 375-84 dated the 26th June 1900. The Legislative Department, while considering its imposition as derogatory in the case of subordinate services but suitable in the case of menial staff, suggested the issue of executive instructions, defining the cases and conditions under which it should be imposed. The Finance Department also recommended such a procedure but desired that formal departmental proceedings should be drawn up before punishment of fine was inflicted.

Both the Public Works and Finance Departments, however, were of opinion that Gazetted Officers including those shown under General Subordinate Service, such as Sub-Engineers in the P.W.D. should in no circumstances be fined.

4. In regard to the limitations to be placed on the power to impose this punishment various limits were suggested by various departments. Education and Development Department recommended this limit at one month's pay in respect of fines imposed in one financial year, but the Legislative Department suggested that it should be half a month's or one month's pay to be

recovered in instalments not exceeding one-twelfth of the monthly salary. The Finance Department proposed its fixation at a certain percentage.

5. In respect of the other rules the following minor changes were suggested:

Rule 3. As regards the title to appeal against an order, the Finance Department pointed out the desirability of framing a rule which would enable a local Government or an authority to which the power might be delegated to call for the proceedings in any case when no appeal lay or was preferred and to pass suitable orders. The Public Works Department said that in sub-section (b) of this rule the word 'and' was a misprint for the word 'or'. The substitution of the words 'the authority which passed' for 'an authority which passed' was suggested by the Legislative Department.

Rule 4. As the withholding of promotion was a punishment under rule 1 (ii), the Finance Department wished that the intention of the rule, that no appeal, as of right, would be against an order declining to give an appointment or promotion etc., should be made clear in as much as it would not deprive a Government servant of a right of appeal in such a case.

Rule 5. The Finance, Legislative and P. W. Departments pointed out that the reference to rule 2 in this rule was unnecessary as that rule did not specify any penalty but merely referred to the authority that might impose punishment.

Rule 9. Regarding the authority competent to withhold an appeal the Education and Development Department defined it to be that against whose orders the appeal was made and not the head of the office. The period of one month proposed for filing an

appeal in sub-section (3) of this rule was considered insufficient and the following periods were suggested :

Finance & Legislative Departments.	Two months.
Education and Development Department.	At least three months.
Public Works Department	Six months.

The Finance and P. W. Departments further referred to rule 64 (3) of the Civil Services (Classification, Control and Appeal) Rules where a period of six months was prescribed and stated that the curtailment of that period would affect adversely Government servants in service on the 27th May 1930. The sanction of the Secretary of State in Council under Classification Rule 9 (1) would be necessary if it was intended to make the rule applicable to them.

Rule 10. As regards the rule that no appeal should lie against the withholding of an appeal by a competent authority, the Legislative Department desired that such competent authority be specified, on the other hand the Finance Department suggested that quarterly returns of appeals withheld be submitted to the appellate authority.

6. The Political Department pointed out that special provisions for regulating discipline and appeals in the case of subordinates of the Police Department, already existed in Chapter XXV of the Police Manual and suggested the addition of a note to the heading of the rules. The Judicial Department was of opinion that the Local Government had no power to frame rules for the Ministerial Officers of the Court and Jail Officers in view of the orders contained in clause 6 of the Letters Patent of the High Court and Section 60 (c) of the Prisons Act, 1894 and therefore considered that the proposed rules would not apply to such officers.

DRAFT.

No.....

Government of X.
Appointment Department,

From

The Secretary to the Government of X.
Appointment Department.

To

The Secretary to the Government of X,
Political, Finance, Education and Development,
Revenue, Legislative, Judicial, Public Works,
Irrigation, etc. Departments.

Dated.....the.....

SUBJECT : *Draft Rules framed under Rule 54 of the Civil Services (Classification, Control and Appeal) Rules to regulate the discipline and appeals of members of the subordinate services under the control of Government.*

Sir,

I am directed to invite a reference to this Department memorandum No. 1772-81-AR dated the 10th June 1933, forwarding a copy of the above draft rules to your department for comments and to inform you that the Government have decided to make the following modifications in these rules in the light of the suggestions made by the Legislative Department.

Rule 1. In the opening part of the rule, the words 'subordinate services' shall be substituted for 'a subordinate service', the existing note at the end of this rule shall be numbered as 1 and the sentence 'Executive instructions would be issued defining the cases in which fine should be imposed', shall be inserted as note 2.

Rule 2. For the word 'an authority which passed' the words 'the authority which passed' shall be substituted.

Rule 5. The words 'or rule 2' appearing in the first sentence of this rule shall be omitted.

Rule 9. The period of 'one month' appearing in item 3 of this rule shall be changed to 'two months' as the period of one month for filing an appeal may in certain circumstances be too short.

Rule 10. "The authority who can appoint the officer concerned will be deemed as competent authority for these rules" shall be added as a note under this rule.

2. I am to add that, before these rules are actually given effect to, it would be necessary for the Local Government to issue rules under rule 20 of the Classification Rules for classifying Government servants into subordinate services. This Department is already taking necessary action in this respect.

3. The Political Department has pointed out that special provisions for regulating discipline and appeals in the case of subordinates of the Police Department already exist in Chapter XXV of the Police Manual and therefore, there is no necessity of fresh rules for that department. The Judicial Department has also stated that Government has no power to frame rules for the ministerial officers of the Court and Jail officers in view of the orders contained in clause 6 of the Letters Patent of the High Court and Section 60 (c) of Prison Act 1894. I am, therefore, to state that when the above rules are published in their final form, it will be made clear that these do not apply to persons for whose appointment and conditions of employment special provision is made by or under any law for the time being in force.

Yours Faithfully,

.....
Secretary,
Appointment Department.
Government of X.

1946

Commentary.

Precis. Many candidates produced a detailed summary letter by letter, although many letters had a large number of common points. This process involved so much work that most of the candidates could not complete the precis and draft in time. Some of them tried to give a free and bare summary of points contained in the correspondence without any reference to the documents from where they were taken. Some candidates selected a few points from the correspondence and, discussed them by making references to the letters at random. They succeeded to some extent but failed to produce an accurate official precis. A number of candidates abstracted rough notes, which contained the material required for a good precis, but got confused and could not give a final shape to these points in the precis. It appears that most of them lacked practical training in writing out an official precis. Some of the candidates had inadequate command over the language. They tried to reproduce the language from the correspondence to such an extent that they could not complete the answer.

Draft. Most of the candidates did not apportion time properly. They spent much of their time on precis, and found little time for draft. They could not mention even half the important points which were required to be put in the draft. Those who attempted the draft by picking up points, did fairly well.

I. P R E C I S.

SUBJECT : *Decimalization of coinage.*

As result of the decision to replace, after the war, the small coins, comprising the series of two anna, half anna and pice pieces which were circulated in 1942 under war conditions, but which had become unpopular, and

in order to undertake any reform of the subsidiary coinage in the public interest, the Government of India suggested the adoption of the decimal system of coinage which was in vogue in most of the countries in the world.

2. According to the proposal the Indian rupee was to be divided into 100 cents. The present rupee, half rupee and quarter rupee were to remain but the lower denominations were to be replaced by coins of the value of 10, 5, 2, and 1 cents and possibly a $\frac{1}{2}$ cent coin. During the transitional period two sets of coins were to circulate side by side.

3. The new system was expected to respond to the demand of modern trade and commerce as a quick and simple method of computation. As the change of coinage, involved difficulties (i) on grounds of sentiment, (ii) circulation of new coins simultaneously with the existing coins during the period of transition, and (iii) all round refixation of prices and values, the Government of India, in their letter No. 2 (76) F. 44, dated the 24th April 1945, in forwarding a copy of the 'explanatory Memorandum' to all Provincial Governments and the Auditor General of India invited their opinion on those proposals. The Auditor General of India in forwarding the same to the Accountants General, Comptrollers, Director of Railway Audit and the Chief Controller of Supply Accounts asked them to examine the scheme in its different aspects, particularly from the point of view of accounting.

4. The replies received revealed that there was general agreement to the proposal with the exception of the Comptroller, Assam who considered that the necessity for the change in the old system of currency had not been established. The others regarded the proposed system would lead to simplification of accounting and facility of calculations and consequently greater speed. The Accountant General, Bengal anticipated the invention of simpler calculating machines for use in the audit offices.

5. To secure full advantage of the system the Accountants General, Central Revenues, Punjab and Posts and Telegraphs, suggested the simultaneous introduction of decimalization in weights and measures with which the rupee and its fractions were intimately connected.

6. It was generally agreed that the change over would not present any insurmountable difficulties which, according to the Accountants General, Bihar, Central Provinces and Berar, Punjab and Madras should be introduced from the beginning of the financial year where all the claims against the Government would be converted into terms of the new coins. The Accountant General, Central Provinces desired that the depositors should be instructed to exchange their old coins with the new at the Exchange Depots or Counters at the treasury, sub-treasury or post office etc., and pay Government dues in the new coins, but the Accountant General, Punjab, however, favoured their receipt in both coins till the old coins were stopped as legal tender.

7. It was held that the difficulties and confusion arising out of the adjustment and conversion from the old to the new coins during the period of transition could easily be mitigated by wide and free distribution of printed slips showing the relation between the two systems of coins. The Accountant General, Madras, however, considered that the use of slips could be avoided by declaring the existing pie and half pice pieces uncurrent from the date of introduction of the new scheme. He added that the value of the pice might be fixed arbitrarily at 1.25 cents. This would place enough metal in the hands of the Government for minting, as the public would be compelled to return these coins due to depreciation in their value in relation to the rupee. He was also of opinion that if nickel be in adequate supply, 10 and 5 cent pieces be minted and 2 anna and 1 anna pieces be similarly redeemed.

8. In order to accelerate the withdrawal of old coins the Accountant General, Central Provinces and Berar suggested the fixation of exchange rate at 12, 6, 1·5 and 5 cents for 2 anna, 1 anna and 1 pice and one pie pieces respectively after a period of two or three years.

9. The Accountant General, Posts and Telegraphs was of the opinion that the pie which was rarely used in India, should be abolished from the Government account before the introduction of the new system.

10. Considering the necessity of various coins in the new system the half cent was generally considered as of no use. The Accountant General, Posts and Telegraphs stated that it would make the matter complicated and lengthen the decimal points in accounts to four or five places. Even the two cent piece, which was a little more than a pice, was considered unnecessary by the Accountant General, Bengal. He regarded a 20 cent piece more in accord with the decimal system than a 25 cent piece and expected that 25 and 50 cents would be legal tender upto an unlimited amount.

11. It was generally pointed out that the change would require a wholesale revision of all forms showing money columns in Rs. as. Ps. used in accounts, offices, treasuries, sub-treasuries, banks, etc., The Accountant General, C. P. and Berar, suggested that the existing forms could be adapted by using the columns intended for annas and pies for noting cents expressed as decimals of a rupee. The Accountant General, Central Revenues and Posts and Telegraphs said that all rates, formulae for calculations based on the old system of coinage would require revision as also the recasting of tables and ready reckoners. According to the latter, legal advice might be necessary to decide whether existing contracts with the life insurance policy holders should be replaced by new contracts with rupees and cents or the existing rates of premium be realised in new currency after conversion; the position of payment of bonus on Post Office Certificates was also similar.

12. The accounting machines and totalisers would, according to the Chief Controller of Supply Accounts and the Accountants General, Madras and Posts and Telegraphs, also involve change in structure. The estimated cost of such replacement would be one lac and a half in the case of Posts and Telegraphs audit offices alone. Other difficulties like the change in Acts, rules, the issue of fresh postage stamps, of railway tickets and recalculation of land revenue of permanently settled lands were also pointed out by some officers.

13. With regard to the duration of the period of transition when the two systems of coins might be allowed to exist side by side a definite period, say 5 or 2 years, was suggested. The Accountant General, Punjab, on the other hand, considered it advantageous to reduce this period of transition to a minimum, say 6 months.

14. As regards accounting the Accountant General, Posts and Telegraphs and Central Revenues pointed out that during the period of transition when both these types of coins would be circulating initial accounts would have to be maintained in cents side by side with existing coins. This he said would involve additional labour and heavy expenditure in treasuries and accounts offices owing to conversion from one to the other until the new coins entirely replaced the old. The balance with the various disbursing officers would have to be converted into the new coinage as well as the balances under the various debt, deposit and remittance heads. The Accountant General, Madras, suggested that as these would have to be rounded to the nearest cent it might be necessary to obtain acceptance of these balances in the new system before carrying them over. The Accountants General Punjab and Posts and Telegraphs pointed out that as there might be gain or loss due to the effects of conversion and rounding to the nearest cent a new head corresponding to loss or gain by exchange might have to be opened in the accounts.

15. As regards the receipt of old coins at the treasuries, sub-treasuries and banks, the Accountant General U.P., suggested that these might be collected into a pool of uncurrent coins and charged off to a suitable head, so as to exhibit the transactions correctly, subordinate to Major Head 'Coinage Accounts' until they were remitted into the mint.

II. D R A F T.

No.....

Office of the comptroller and Auditor General of India

Dated, Simla, the.....

From

The comptroller and Auditor General of India.
Simla.

To

The Secretary to the Government of India,
Ministry of Finance,
New Delhi.

SUBJECT:—*Decimalization of Coinage.*

Sir,

With reference to the Government of India, Finance Department, endorsement No. F-2 (76)-F/44, dated the 24th April 1945, regarding the proposal to introduce a decimal system of coinage in India, I have the honour to state that it will undoubtedly bring India in line with most of the countries of the world. The various arithmetical processes such as addition, subtraction, working out of percentages etc. will be simplified to a very great extent as the new system provides quicker and simpler methods of computation. The audit department is therefore generally in favour of the scheme but it is however, felt that the full advantage of the system cannot be secured unless it is simultaneously introduced in weights and measures as well as in lengths.

2. Initially the introduction of the system will involve many difficulties and heavy expenditure, especially in the offices where initial accounts are kept. These are enumerated below to enable the Finance Department to examine this before the scheme is finalised.

3. During the transitional period both the present and the new type of small coins below a quarter rupee in value will, as contemplated in para 4 (b) of the 'Explanatory, Memorandum' be simultaneously in circulation for a period of some years. Accordingly the decision that during this period all claims against the Government are to be due, preferred and paid in terms of the new coins or in both will have to be made though it will be advantageous if the claims are paid in the new coins. Similarly, payments to Government may become due only in cents though treasuries and sub-treasuries may continue to receive them both in the old and the new coins till the former are declared to be no longer legal tender. As such the initial accounts will have to be maintained in the new coins side by side with the old coins. The balances with the various disbursing officers at the time of the introduction of the new system will also require conversion into the new coinage as well as the outstanding balances under the various Debt, Deposit, and Remittance heads. This will necessitate additional labour and expenditure in treasuries and accounts offices.

4. The change will require wholesale revision of all forms, showing rupees, annas, pies, used in accounts offices, treasuries, sub-treasuries, banks etc. All rates, formulae for calculation based on the old system of coinage will have to be revised and the tables and ready reckoners will have to be recast. The accounting machines and totalisers will involve change in structure. The cost of such replacement is estimated to be one lac and a half in the case of Posts and Telegraphs audit offices alone.

5. These difficulties do not, appear insurmountable and can easily be mitigated by a wide and free distribution of printed slips showing the relation between the two systems of coins. The additional work thus involved can be minimised if the new coins are brought into use with effect from the beginning of the financial year. But it will be advantageous to reduce this transitional period to the minimum. This can be achieved when a sufficient quantity of the new coins has been minted and supplied to the treasuries and sub-treasuries, and the exchange of the old coins by the new ones is restricted to a limited period. In the mean time the public may be encouraged to change the old coins for new ones, by persuasion, if necessary. The old coins, when received, may be collected into a pool of uncurrent coins, and charged off to a suitable head until they are remitted into the mint.

6. These difficulties will be examined in detail when the Government of India finally decide to adopt the new system.

Yours faithfully,

.....
Comptrollers and
Auditer General of India.

1948

Commentary.

Generally speaking the following defects were noticed in the course of examination of the answer papers on precis and draft.

(i) *Lack of proper sense of proportion*—Quite a large number of candidates devoted considerable space to what was more or less a summary of the memorandum of the Punjab Government whereas the opinions of the various Provincial Governments on the main points at issue were not dealt with fully and adequately.

(ii) *Sequence of ideas broken*—Several candidates failed to show a proper appreciation of the logical sequence of ideas, their answers being more or less disconnected summaries of the memorandum and letters appearing in the question paper.

(iii) *Poor knowledge of English*—Barring a few exceptions, the candidates suffered from a defective knowledge of English. Their knowledge of grammar and composition was not upto the mark.

(iv) *Poor general knowledge and power of understanding*.—Several candidates betrayed in their answers a lack of understanding things properly. For example, many examinees ascribed to the U. P. Government the views which that Government repudiated.

(v) The answer papers of several examinees would give an impression that they had a rather nebulous idea of what a precis was. Obviously, they thought that all what was needed was to give a sort of a summary of the matters dealt within the correspondence given in the question paper.

I. P R E C I S .

SUBJECT : *Eligibility for the grant of special additional pensions.*

3. The Punjab Government, in their memorandum, had narrated that difference of opinion had arisen regarding the interpretation of one of the conditions, prescribed for the award of special additional pensions under Articles 475, 475 A, and 643 of the Civil Service Regulations, viz., *the officer must have shown such special energy and efficiency as might be considered deserving of the concession*. In their letter No. F-3-C. S. S. R/25, dated the 7th January 1925, the Government of India, Finance Department, communicated a ruling of the Secretary of State who, when referred to in this connection had stated that the officer rendering approved service in one of the posts to which the Articles

applied should be treated as eligible for the additional pension. The Punjab Government protested against this ruling on grounds, firstly, that it was not in accordance with the past practice in the Punjab where the case of each officer was examined on its merits to determine whether he had shown such special energy and efficiency as rendered him deserving of the concession, and secondly, unless the term 'approved service' was further defined it would make the grant of additional pensions automatic to all Government servants otherwise qualified but whose work had not been so unsatisfactory as to justify their removal or reversion.

At this the Secretary of State was again referred to by the Government of India and he maintained his former ruling in view of the practice followed by the Government of India in the past.

The Punjab Government therefore decided to lay the question of 'approved service' before the Conference of Financial Representatives to ascertain :—

- (a) whether other Governments were following the Punjab Government's practice before the award of the ruling and
- (b) how other Governments were interpreting the term "approved service".

The matter was, thus considered in the Conference in November 1927 and it was agreed that the views of the Provincial Governments should be called for before framing a rule, for incorporation in the Fundamental Pension Rules.

2. Accordingly the Government of India, in their letter No. F-52-R-II/1928 dated the 14th March 1928, invited the views of the provincial governments on the subject.

3. From the replies received from the various Governments it would appear that the Governments of Madras, Bengal, the U. P., Bombay and Assam were generally in favour of the interpretation conveyed in the ruling of the Secretary of State.

4. The Madras Government interpreted the term 'approved service' to mean that there was nothing on record against the officer. This interpretation, according to them, was simple to apply to individual cases. They were opposed to the adoption of any test other than the written record of the officer which must show the existence or otherwise of anything recorded against him. The adoption of any test other than this would give rise to doubts and differences of opinion. The Government however, decided the amendment of the rule accordingly.

5. The Government of Bengal considered "satisfactory service" as sufficient justification for the grant of additional pensions as only those officers who must have shown superior ability and efficiency were promoted to these posts. Government was of opinion that the automatic grant of these pensions should be guarded against.

6. The Government of the United Provinces, however, considered any re-interpretation of the term unnecessary as it would restrict the discretion of the authority sanctioning the additional pension. According to them the worth of the service must be measured against the standard required in the post; it must neither be assumed that every incumbent of such a post was up to that standard as a matter of course nor, it must be held that to earn the pension, he must exceed that standard.

7. The Government of Bombay favoured the retention of the term 'approved service' provided it was explained in a note to mean, *'service which had commended itself to Government as specially meritorious.'*

8. The Government of Assam, suggested the replacement of the expression *'such special energy and efficiency'* by the expression 'approved service'.

9. The Governments of Burma, Central Provinces, Bihar and Orissa differed generally. The Government

of Burma recognised much force in the objections raised by the Punjab Government and advocated that the provision 'special energy and efficiency' should give complete discretion to the sanctioning authority to decide whether or not the special additional pension should be awarded and suggested the furnishing of a certificate to that effect along with the order sanctioning the additional pension.

The Governments of Central Provinces and Bihar and Orissa also supported the views of the Punjab Government and confirmed having followed the same interpretation before the receipt of the ruling of the Secretary of State. The Government of Central Provinces also suggested that the Secretary of State might be moved to amend of his orders.

II. D R A F T.

No.....

Government of India,
Ministry of Finance.

From

The Additional Deputy Secretary
to the Government of India,
Ministry of Finance.

To

The Secretary to the Government of the Punjab,
Finance Department,
Simla.

dated New Delhi.....

SUBJECT : *Eligibility for the award of additional pension.*

Sir,

I am directed to invite a reference to the correspondence resting with this Ministry's endorsement No. F-52-II-R-28 dated the 14th March 1948 regarding the

interpretation of the term 'approved service' in connection with the grant of special additional pensions contemplated under Articles 475, 475A and 643 of the Civil Service Regulations and to state that, in accordance with the decision arrived at in the Conference of Financial Representatives held in November 1927, the views of the Provincial Governments were invited on the necessity of framing a similar rule for incorporation in the Fundamental Pension Rules.

2. I am to state that after a careful consideration of the views expressed in the replies received from the various governments, the Government of India are inclined to interpret the phrase, '*approved service*', used in connection with the grant of these pensions, to mean that there is nothing on record against the officer and that his continuous service, has been satisfactory. The special posts which carry additional pensions under these Articles have heavy and onerous responsibilities and are filled by selection from among the officers who must have shown superior ability and efficiency before gaining promotion. Before the additional pension is granted it is seen that the service of an officer has been such as to have commended itself to Government as especially meritorious. The officer is, therefore, expected to display the special qualities on account of which he is selected. If, the work of such an officer does not, justify the extra pension, it is not fair either to the taxpayer or to the officer concerned to allow him to retain the post and his services can be dispensed with at an early stage. This guards against the automatic grant of these pensions. If the Government retain the officer during the period necessary to earn the pension it implies that the Government approve of his services.

3. Besides, the criterion that there is nothing on record against the officer is simple to apply to individual cases. The Government therefore, deprecate the adoption of any test other than the written record of the officer, believing that it is likely to give rise to doubts

and differences of opinion which should be avoided in connection with an officer's pension. In practice, owing to the way in which the reports of the officers are generally maintained, the record of an officer must reveal the existence or otherwise of anything recorded against him.

4. In view of the above the Government of India is reluctant to frame any rule for incorporation in the Fundamental Pension Rules.

Yours faithfully,

.....
Additional Deputy Secretary,
Ministry of Finance,
Government of India.

No.....

Copy forwarded to the Secretary to the Government(s) of Madras, Bengal, etc. for information.

.....
Additional Deputy Secretary.

1949

I. P R E C I S .

SUBJECT : *Probate Duties.*

The Indian Taxation Committee had reported that the peculiar conditions of India rendered the imposition of a succession duty impracticable but had recommended an extension of probate duties partly, on grounds other than fiscal.

2. In their letter No. F. 3 XIII/F-27 dated the 28th November 1947, the Government of India invited the opinion of the Provincial Governments on the following proposals of the same Committee :—

(a) The feasibility and necessity for universal repre-

sensation which would consist in obtaining a legal representation to the estate of the deceased from the court, or

(b) Contemplation of an ordinary revenue or income-tax process resting on a reliable inventory backed by penalties for evasion and precedence of the duty on other charges.

(c) The centralization of legislation.

3. The Government of India considered the need for revenue as the real justification for imposing the duty and, accordingly advised the Provincial Governments to consider if they were prepared to exploit it as a source of Provincial revenue when the Government of India did not intend to claim it for the centre.

4. The Committee had supported the enforcement of a system of universal representation for two reasons, firstly, fiscal, consisting in the convenience of designating a person for the payment of duty and secondly legal, connected with the provision for the administration of the estate pending settlement of succession. The Government of India, considered compulsory representation throughout India difficult.

5. With regard to the necessity of central legislation the committee recommended that the taxation should be uniform and the provisions affecting the personal law of communities should not vary in different parts of India. The Government of India felt some difficulties in central legislation and suggested that uniform rates of taxation could be attained even by provincial legislation. To them the universal application of the taxation was more important, to avoid the difficulties regarding the definition of property, the means of its discovery and provincial domicile and therefore accepted that the legislation should be partly central and partly provincial. In their opinion the central legislation should be confined to matters regarding regulations of inter-provincial relations.

6. The Government of Bombay consulted several of their Judicial Officers on these proposals. From the replies received by the Government it would appear that the advocate General, the Solicitor and three out of the six Judges of the High Court favoured universal representation.

7. One of the Judges considered the present system of representation in India inequitable and wrong for it depended on race and creed, but all the three Judges, in pointing to the anomalous and indefeasible state of wills which gave occasion for much hard swearing and frequently fraudulent proceedings, held that notwithstanding fiscal considerations the proposed legislation would tend to settle titles and discourage speculative legislation. The Solicitor and the Advocate General suggested that legal representation in the form of probate or letters of administration to the estate of the deceased should be obtained from the court on the death of every person in India. The Solicitor advocated the imposition of this duty, at first on large estates of the value of one lac or over and gradually on estates of lower value by which time it would be understood by the community.

8. The other three Judges of the High Court, agreed with most of the District Judges who were consulted and opposed it. They held that the principle would be unpopular in the Hindu and Mohammedan communities and would entail unnecessary trouble and hardship on illiterate and ignorant majority of the masses. Besides they considered the recovery of such duties as difficult. It was also pointed out that the procedure would impose considerable extra work on the courts and would correspondingly benefit the legal practitioners.

9. Regarding legislation, there was general agreement that it should be central and universally applied. The Advocate General entirely agreed with the views of the Government of India. The Solicitor on the other hand anticipated much trouble in respect of questions of provincial domicile on account of rapid transport and

inter-communication facilities available these days unless the principle was universally applied throughout India. He, therefore, advised that the scale of duty and other details might be left to the Provincial Governments for adjustment according to their financial requirements and the machinery for collection should also be under their control.

II D R A F T.

No.....

Government of Bombay,
Ministry of Finance.

From

The Secretary to the Government of Bombay,
Finance Department,
Bombay.

To .

The Secretary to the Government of India,
Ministry of Finance,
New Delhi.

Dated Bombay the.....

SUBJECT : *Probate Duties.*

Sir,

With reference to your letter No. (F.3XIII)F. 27 dated the 28th November 1927, on the subject of probate duties I am directed to state that several Judicial Officers under the control of this Government have been consulted on the main issues of feasibility of and necessity for universal compulsory representation and whether legislation should be central or provincial. Copies of the replies received from them are enclosed.

2. I am, however, to state that the Government do not think that universal compulsory representation, as proposed by the Taxation Enquiry Committee, by which

it will be necessary that, on the death of every person in India when property above a certain value passes as a result of that death, legal representation to the state of the deceased shall be obtained from the court, is impracticable. They are of opinion that it will set right the present system of representation which is inequitable and wrong, depending as it does on race and creed and thus remove the anomaly under which the necessity for obtaining probate of will is only incumbent on certain classes and in certain areas.

The procedure regarding wills is also anomalous and is responsible for frequently fraudulent proceedings. A system of universal representation would tend to settle titles and discourage speculative litigation. It would also result in securing the honest purchaser of the estate from litigation by interested relatives of the deceased even years after the transfer.

3. However, the system is not, likely to be popular as the main objection would be based on the joint family system in the case of Hindus and the provisions of Mohammedan law. Moreover, it would expose a number of poor and ignorant people to unnecessary trouble and expense in a country where the masses are illiterate. The recovery of duties cannot therefore, be large as may appear at first sight.

4. Under the circumstances I am to suggest that the limit of exemption should be high. Attempts should be made to collect the duties from estates of moveable and immoveable properties passing upon the death of the value of rupees one lac or over and gradually introducing it on representatives of smaller estates by which time it would be understood by the community. This would make the scheme acceptable.

5. The legislation introducing universal representation should be central but the scale of duty and other details may be left to the Provincial Governments to

adjust according to their financial requirements. Machinery for the collection of the duty should also be under the control of the Provincial Government.

Yours Faithfully,

.....
Secretary,

Finance Department,
Government of Bombay.

Enclosures : as above.

1939

I P R E C I S .

The Government of India had under consideration a proposal of the Government of Burma to amend the Government servant's Conduct Rules so as to make it clear that they applied to officers on foreign service and that no officer whether on foreign service or lent to a local body or otherwise employed outside the regular line of employment should be permitted to criticise in any manner, orally or in writing, the policy of Government. The concrete case which had given rise to the above proposal was that two members of the Burma Commission, one in his capacity as a Representative of the Rangoon Development Trust and the other in his capacity as the Executive Officer of the Rangoon Corporation, had been a party to move a Resolution of protest against the action of Burma Government in constituting a committee to enquire into the health conditions in Rangoon Town and in appointing the President of the Corporation to serve on it without consulting the Corporation officially.

Before arriving at a final decision, the Government of India invited the views of all the Local Departments and Administrations on the points raised by the Government of Burma.

2. The replies received from the various Local Governments revealed that the Governments of Madras, the U. P., the C. P., Assam and the N. W. F. P. were in entire agreement with the view of the Government of Burma. The Government of Bombay favoured clarification of the fact that the Government Servants' Conduct Rules applied to officers on foreign service also but opposed their application to oral criticism for the reason that Government could take disciplinary action if such criticism went too far. The Government of Bengal also endorsed the views of the Government of Burma on the condition that the restriction should not apply to (i) any action taken in good faith in the interests of his employer by an officer on foreign service and (ii) any statement made on behalf and with the authority of Government. The Government of Bihar and Orissa and the Chief Commissioner Coorg saw no justification for any amendment, the latter remarking that by accepting these suggestions of the Government of Burma the opinions of Government servants appointed to local bodies would necessarily be so circumscribed as to be deprived of most of their value. The Government of the Punjab proposed that a purport of the principles laid down in the Secretary of State's Despatch of October 1898 which definitely forbade oral criticism also, should be incorporated in the Government servant's Conduct Rules. In regard to officers on Foreign service, they pleaded that some latitude should be permitted in the matter in the case of Government servants who owed allegiance to some public body of which they were members and who were expected by that body to protect its interests. They, therefore, preferred that the limits within which such Government servants should be at liberty to criticise the policy of Government should be stated in Executive Instructions rather than included as a rigid restriction in this behalf in the Government Servant's Conduct Rules. The Chief Commissioner Delhi while informing that the District Judge and the Senior Superintendent of Police Delhi favoured the proposed amendments forwarded

copies of the views of the dissenting parties *viz.*, the Deputy Commissioner and the Chief Engineer Delhi and expressed agreement with the Deputy Commissioner. The Deputy Commissioner Delhi like the Punjab Government argued that it would not do Government any harm if a certain latitude of thought and expression was left to its officers which might enable the local bodies on which those officers might be functioning to feel that they were not listening to a mere mouthpiece. He further added that if any amendment was at all necessary it should be as below :—

"Any servant of Government even if he be on foreign service or lent to a local body or otherwise employed outside the regular line must exercise the greatest care in the public expression of views which can be interpreted as being at variance with those held by Government or with any action or decision of Government. This is not to say that Government desire to deprive such officers of all independence of judgment. But no expression of opinion which voices undue criticism or censure of Government can be permitted, nor an attack on any vital principle of Government policy."

The Chief Engineer Delhi also held that if free criticisms was not permitted, the very object for which a Government servant was employed by a local body (*i. e.*, to advise them on matters connected with the profession for which he had been trained) would be vitiated. He further added that through the proposed amendment, the presence of Government servant on local bodies would be useless except as voting machines or they could neither speak for nor against the policy of Government.

3. After careful consideration of the case, the Government of India appreciated the views of the Punjab Government as also those of the Deputy Commissioner and Chief Engineer, Delhi and decided that it being undesirable and impracticable to define by rule, the

limits within which criticism of Governments by a Government servant who also owed allegiance to some public body of which he was a member should be permitted, a purport of the principles laid down by the Punjab Government in this connection should be communicated to all Governments for their guidance. With these remarks they approached the Secretary of State for amendment of the Government Servant's Conduct Rules as desired by the Government of Burma as also of Rule 23 *ibid* to bring it into line with the order in council and to make it applicable to elections to a legislative body. The amendment proposed by the Government of India also extended the scope of prohibition to statements capable of embarrassing the relations between the Government and the Ruler of any State in India.

The amendments were passed by the Secretary of State.

DRAFT

Home Department,
Government of India,
No.....

From

The Secretary to Government of India,
Ministry of Home Affairs.

To

All Local Governments and Administrations
(except Punjab)

Dated, New Delhi, the 30 May 1928.

SUBJECT : *Amendment of Rules 1 (a) and 20 of the Government Servants' Conduct Rules.*

Sir,

I am directed to refer to the correspondence emanating from a letter from the Government of Burma

No. 398 E. 26 dated 9-12-26 on the above subject, a copy of which was supplied to all Local Government's and Administrations with the G. I. Home Department's letter No. F. 46/27 Public date 16-12-1927. The Government of India appreciate the excellent manner in which the Government of the Punjab and the Deputy Commissioner and the Chief Engineer, Delhi have pleaded the cause of Government servants who owe allegiance to some public body of which they are members and who are expected by that body to protect its interests when there are at variance with those of Government. The Government of India are prepared to accept the proposition that some latitude should be premitted in the matter in the case of such Government servants as otherwise the very object of their being with the non-Government bodies will be vitiated in as much as such officials will be taking part in the discussion simply as supporters of Government. It has, therefore, been decided that it will not do Government any harm if a certain latitude of thought and expression is left to its officers which may enable the local bodies on which these officers may be functioning to feel that they are not listening to a mere mouthpiece.

2. The Government of India have also considered the desirability of indicating in the Government Servant's conduct Rules, the limits within which such criticism should be permitted but they view that it is impracticable to attempt to deprive them by rule. I am, therefore, directed to communicate to the

Government of Madras etc. the purport of these
you
principles for
the guidance of the Government of Madras etc. The
your guidance

The Government of India think that for all practical purposes it will be sufficient, if in any case where the operation came into question local Governments and

the Government of India should be in possession of and act upon these principles.

3. The general principle should be when a proposal of Government.....or other authority.

I have the honour to be

Sir,

Your most obedient servant,

Secretary to the Government of India,
Ministry of Home Affairs.

The Draft to the Punjab Government has been left as an exercise to the reader.

PART II

1949 (MILITARY WING).

Make a precis of the following passage. Your answer should be about 200 words in length. Give the precis a short appropriate title and mark off every ten words distinctly in your precis, and at the end state the number of words it contains.

So far as we know, the first flight made by man took place in 1783. In that year, balloons sailed up into the air for the first time. It is well known that hot air rises. Therefore, if hot air is put into a very light bag, the whole bag should rise. If the bag were large enough, it should be able to lift heavy objects with it. A Frenchman, called Montgolfier, was able to fill a bag or balloon with heated air, and it rose into the air, as had been expected. This was the first airballoon. Later in 1783, another Frenchman, called Rozier, hung a basket below the balloon. The basket, with him in it, was successfully lifted by the balloon; and he landed in safety. A year later, an arrangement was fitted to the balloon by which air could be let out when required, so that the balloon would come down at the passenger's wish. In 1785 somebody flew across the English Channel. After that time several people went up in balloons, but this form of transport could not be used for regular journeys because balloons are carried in whatever direction the wind is blowing, and this may be away from the place to which one wishes to go. For the same reason they are dangerous through not being under full control.

Attention was next turned to the use of engines to make balloons go in any required direction. In 1851, a balloon was driven by steam power with fair results, but steam engines were really too heavy to be used in this way. Towards the end of the century, three important improvements were made.

Firstly, balloons were filled with hydrogen, the lightest gas known. This meant that a balloon of given size, filled with this gas, could lift much greater weights than a balloon of the same size, filled with hot air. Secondly, the light petrol-engines which had just been invented could be fitted to the balloon without using up most of the weight that the balloon could lift. Thirdly the balloon was made stronger by fixing it to a framework of light metal. Thus a bigger gas-bag could be used and the lifting power increased.

During the last quarter of the nineteenth century, people experimented with a different kind of flying. They fastened themselves to light frameworks which were rather like kites, and allowed themselves to be lifted into the air by the wind. This kind of flying was called 'gliding'. It is not as easy as it sounds and is only possible under special conditions.

Today, gliding is merely a sport, but a half century ago it was a serious study, which led to the invention of aeroplanes. Gliding could be carried out only when the wind was just right, and the machine was never under real control. It was seen that if the glider could be fitted with an engine to pull it along fast enough, it could lift itself in the air. Then the engine could be used to keep it up and control it. The difficulty was that an engine was likely to be too heavy to be raised by the lifting force which it could produce.

The difficulty was attacked in two ways; firstly, by plainning lighter engines which could yet drive the glider forward at high speed; and secondly, by changing the shape and slope of the wings, so as to bring about the greatest lifting force at a given speed.

Great progress was made during the war of 1914—1918. It was clear that aeroplanes would be useful in war, and much thought was given during the war to improving them. Since then, wonderful improvements have been made. As early as 1919, a regular aeroplane

service across the English Channel was started ; and in the next ten years, airways joined up nearly all the countries of Europe and the States of America.

1949 (ROYAL INDIAN NAVY).

The following passage contains about 510 words. Make a precis of it, under a suitable heading, in no. more than 170 words. Mark off every ten words distinctly in your precis, and at the end state the number of words you have used. Write in complete sentences and in your own words as much as possible.—

Today the word which best represents to the popular mind the triumphant application of science is the word 'electricity'. The fruitful idea that electricity, like light was only a form of energy, lies at the base of great inventions which have been made. The moment that electricity was produced by transforming other forms of energy, there became possible all sorts of machines which could not be imagined under any other hypothesis. It was in the development of this idea that inventors perfected those machines that have made the greatest difference in our modern life—the electric motor, the electric light, the telephone, the telegraph, and the thousand separate devices by which mechanical energy is transformed into electric energy. In every department of domestic life, in every line of transportation, in almost all methods of communication between men and cities, the application of electricity has come to play a great role. So numerous are these applications, so important are they to our comfort and to our well-being, that we have ceased to wonder at them, and year by year new applications are made which a few decades ago would have called forth astonishment, but which we receive as a part of the day's work. So great is this field, so promising are the applications which we may hope to see made that no man can foretell what the inventions of the future may be.

Today we are interested not less in the applications of electricity than in its supply. So well is the law of transformation of energy now understood and so sure are the results of our inventory, that we may confidently expect that the applications of electricity to the arts and industries will reach almost any point of perfection. A vital question is, can a supply of energy be found which can be efficiently and cheaply transformed into electric energy?

At present our chief sources of electricity are coal and water-power. Over a large part of the earth's surface, however, neither coal nor water-power is accessible. Furthermore, the supply of coal is limited. It is likely to become in the near future more and more expensive, and one of the great problems which the inventors of our day face is the problem of devising a cheap and effective source of energy for the production of power.

There is one source to which all minds revert when this question is mentioned, a source most promising and yet one which has so far eluded the investigator. The sun on a clear day delivers upon each square yard of the earth's surface the equivalent of approximately two horse-power of mechanical energy working continuously. If even a fraction of this power could be transformed into mechanical or electrical energy and stored, it would do the world's work. Here is power delivered at our very doors without cost. How to store the energy so generously furnished, and to keep it on tap for future use, is the problem. That the next half-century will see some solution thereof, chemical or otherwise, seems likely.

1948

The following passage contains about 425 words. Read it carefully and make a precis of it in not more than 150 words. Give it a suitable heading, and mark off every ten words clearly in your precis and at the end state the

number of words it contains. Write your answer in complete sentences and in your own words as much as possible.

When train draws up in a railway station those who are already seated in it are subjected to the inquisition of a hundred anxious eyes. Intending passengers, doubtful which compartment to choose, hurry up and down the platform, hesitate, seize the handle of a door and release it, consult among themselves and finally take the plunge.

What reasons prompt this man, after so much mental debate, to choose ourselves as his travelling companions? There was as much room elsewhere; there was a corner seat to be had next door; the air we breathe is not more fresh than the air in a dozen other compartments. If it was not superior comfort that drew him towards us, the cause of his coming must lie in ourselves. We must be, if not more attractive, at least less repellent than those whom he has inspected, considered and deliberately passed over. He and all others who, a few minutes ago, were hesitating on the platform have consciously or subconsciously made a psychological selection. In extreme cases the cause of retreat is plain enough. Babies, invalids, and boys with musical instruments in visible action are almost a guarantee against invasion, indeed, experienced and churlish travellers have been known to carry with them bundles of human appearance feeding bottles and penny whistles, which, conspicuously displayed, have again and again safeguarded their privacy. But for what reason when outward things are equal, does a man incline towards one compartment and shun another? What is the swift summary he makes of the features seen dimly through a window? What principles guide his hasty judgment?

It depends, we may suppose, upon his secret purpose. If the train is a race train and he intends before long to invite his companions to a game of chance and skill, his

eye is eager for victims; stolid matrons he will avoid, adventurous youths will beckon him to profit. If, on the other hand, he has in his pocket a folding chess board with which he proposes to solve a problem on his way to the city, he will scan the train for signs of somnolence and taciturnity. If he wants to read his newspapers, he will look for a compartment with a complete equipment of newspapers so that one may be tempted to read the back of his and frown when he dares to move it. If he wishes to talk, he will choose the idle; if to sleep, the tolerant; if to study human nature a mixed company bound upon its holiday.

1946

The following passage contains about 450 words. Read it carefully and then make a precis in not more than 150 words. Give the passage a suitable title, mark off every ten words distinctly, and at the bottom of your answer state the number of words it contains. Your answer should be in simple, lucid English.

If, however, the question is asked which of the two is the better citizen, the man who on strict grounds of conscience decline to obey the law of military service, and the man who, while equally conscientious and equally desirous of peace, submits himself to it, can there be any doubt as to the answer? There are some who base their refusal of military service, not upon a general view of the sinfulness of war, but upon a personal and insuperable aversion from the taking of human life. This instinct is so deep, so imperious, so much a part of their nature, that they cannot submit to its violation. They would rather die. They do not reason. They say, 'Abhorrence of taking life is the deepest thing in me.' This form of religious belief is, of course, very well known in India, where one important community objects not only to the taking of human life, but to the taking of all animal life. Even a fly or a mosquito is sacred. Better endure the horrors of typhus than the black sin attaching to the extermination of housefly.

Such scruples, however overdrawn we may think them to be among oriental peoples, are clearly in themselves humane and honourable, and the note of a civilised society. So far from a man being a worse citizen by reason of his deep personal repugnance to the shedding of blood and to acts of physical violence, he is clearly the better for it. A statesman may have all the brilliant gifts with which a man may be arrayed by bountiful nature—eloquence, promptitude in action, devouring energy, inexhaustible fertility in resource—but if he prefers war to peace, he is no statesman; but danger to society. Respect for human life, aversion from violence and brutality, are not only essential parts of private morality; but furnish an important part of the ethical foundation upon which the structure of any civilised state is erected. There is then every thing to praise and nothing to condemn in this feeling of repugnance to the taking of human life. The more widely it is spread throughout any community, the less likely will that community be to enter lightly into a quarrel or to be defaced in its domestic life by the cruelties of the savage nature. The entertainment of these personal feelings, however, furnish no adequate ground for the refusal of military service but adds to the merit of undertaking it. Indeed the acceptance of military service in spite of this overwhelming personal sentiment is the supreme triumph of moral self-discipline and heroism. To hate killing from the bottom of the soul, and yet be prepared to kill in a just quarrel at the call of your country is the simple perfection of civic virtue. Sacrifice and self-discipline can go no further.

AUGUST 1949. (JOINT SERVICES WING)

The following passage consists of about 450 words. Make a precis of it in not more than 150 words. Suggest for it a suitable title (heading). Mark off every ten words of your precis and at the bottom state the number of word it contains.

It is an old remark, that boys who shine at school

do not make the greatest figures when they grow up and come out into the world. The things, in fact, which a boy is set to learn at school and on which his success depends, are things which do not require the exercise either of the highest or the most useful faculties of the mind. Memory (and that of the lowest kind) is the chief faculty called into play in conning over and repeating lessons by rote in grammar, in languages, in geography, arithmetic etc. so that he who has the most of this technical memory, with the least turn for other things, which have stronger and more natural claim upon his childish attention, will make the most forward schoolboy. The jargon containing the definitions of the parts of speech, the rule for casting up an account, or the inflections of a Sanskrit verb, can have no attraction to the tyro of ten years old, except as they are imposed as a task upon him by others or from his feeling the want of sufficient relish or amusement in other things. A lad with a sickly constitution and no very active mind, who can just retain what is pointed out to him, and has neither sagacity to distinguish nor spirit to enjoy for himself, will generally be at the head of his form. An idler at school, on the other hand, is one who has high health and spirits, who has the free use of his limbs, with all his wits about him who feels the circulation of his blood and the motion of his heart, who is ready to laugh and cry in a breath, and who had rather chase a ball or a butterfly, feel the open air in his face look at the fields or the sky, follow a winding path, or enter with eagerness into all the little conflicts and interests of his acquaintances and friends, than doze over a musty spelling book, repeat barbarous formulae after his master, sit so many hours pinned to a writing-desk, and receive his reward for the loss of time and pleasure in paltry prize-medals or scholarships. There is indeed a degree of stupidity which prevents children from learning the usual lessons, or even arriving at these puny academic honours. But what passes for stupidity is much oftener a want of interests, of a sufficient motive to fix the attention and force a reluctant

application to the dry and unmeaning pursuits of school-learning. The best capacities are as much above this drudgery as the dullest are beneath it. Our men of the greatest genius have not been most distinguished for their requirements at school or at the university.

MAY 1949

Read carefully through the following passage, which is about 320 words long. Condense it do not more than 110 words. Give a suitable title to the passage. Mark off every ten words of your precis, and state at the bottom the total number of words it contains.

There are other games, no doubt, which will give you as much exercise and pleasure in playing them as cricket, but there is no game that fills the mind with such memories and seems enveloped in such a gracious and kindly atmosphere. If you have once loved it and played it you will find talk in it enough 'for the wearing out of six fashions', as Falstaff says. I like a man who has cricket in his soul. I find I am prejudiced in his favour, and am disposed to disbelieve any ill about him.

The fine thing about a wrangle on cricket is that there is no bitterness in it. When you talk about politicians you are always on the brink of bad temper. When you disagree about the relative merits of two poets you are afflicted with scorn for the other's lack of perception. But you may quarrel about cricketers and love each other all the time. For example, I am prepared to stand up in a truly Christian spirit to the bowling of anybody in defence of my belief that Bradman was the most naturally gifted all-round cricketer there has ever been. What grace of action he had, what an instinct for the weak spot of his opponent, what a sense for fitting the action to the moment, above all, what a gallant spirit he played

the game in. And that, after all, is the real test of the great cricket. It is the man who brings the spirit of adventure into the game that I want. Most renowned players leave but dreary memories. They were too faultily faultless, too icily regular for my taste. They played cricket not as though it was a game, but as though it was a proposition in Euclid. And I don't like Euclid. It is the hearty joyousness that the real ones shed around them that make them so dear to the youngsters of all ages. They are a sort of Father Christmas clothed in flannels and sunshine. It does you good merely to look at them.

JANUARY 1949

The following *Passage* is about 480 words long. Read it carefully, and then make a *precis* in not more than 160 words. Suggest a suitable title for the passage. Mark off every ten words of your *precis*, and, at the bottom state the number of words it contains : -

The first of my prejudices is that I believe in inequality. I'm not at all sure that that is a prejudice confined to myself—most people seem to act upon it in practice, even in America. But I not only recognize the fact, I approve the ideal of inequality. I don't want, myself, to be the equal of Darwin or of the German Emperor ; and I don't see why anybody should want to be my equal. I like a society properly ordered in ranks and classes. I like my butcher or my gardener to take off his hat to me, and I like, myself to stand bareheaded in the presence of the Queen. I don't know that I'm better or worse than the village carpenter ; but I am different and I like him to recognize that fact, and to recognize it myself. In America, I am told every one is always informing you, in everything they do and say, directly or indirectly, that they are as good as you are. That isn't true, and if it were, it isn't good manners to keep saying it. I prefer a society where people have places and know them. They always do have places in any possible society

only, in a democratic society, they refuse to recognize them, and, consequently, social relations are much ruder, more unpleasant, and less humane than they are, or used to be, in England. That is my first prejudice; and it follows, of course, that I hate the whole democratic movement. I see no sense in pretending to make people equal politically when they're unequal in every other respect. Do what you may, it will always be a few people that will govern. And the only real result of the extension of the franchise has been to transfer political power from the landlords to the trading classes and the wire-pullers. Well, I don't think the change is a good one. And that brings me to my second prejudice, a prejudice against trade. I don't mean, of course, that we can do without it. A country must have wealth, though I think we were a much better country when we had less than we have now. Nor do I dispute that there are to be found excellent, honourable, and capable men of business. But I believe that the pursuit of wealth tends to unfit men for the service of the State. And I sympathize with the somewhat extreme view of the ancient world that those who are engaged in trade ought to be excluded from public functions. I believe in government by gentlemen; and the word gentleman I understand in the proper, old-fashioned English sense, as a man of independent means, brought up from his boyhood in the atmosphere of public life, and destined either for the army, the navy, the Church or Parliament. I don't believe that a country will ever be great which is governed by merchants and shopkeepers and artisans. Not because they are not, or may not be estimable people; but because their occupations and manner of life unfit them for public service.

1947 ASSISTANTS' GRADE

Write a precis of the following passage in about one-fifth of its length. Before doing so you are advised to read the passage carefully, noting those points which

you consider to be most important. Mark off every ten words in your answer and at the end state the number of words it contains. Your answer should be in good flowing English and not in a telegraphic or jerky style.

In the democratic countries, intelligence is still free to ask whatever question it chooses. This freedom, it is almost certain, will not survive another war. Educationists should therefore do all they can, while there is yet time, to build up in the minds of their charges a habit of resistance to suggestion. If such resistance is not built up, the men and women of the next generation will be at the mercy of any skilful propagandist who contrives to seize the instruments of information and persuasion. Resistance to suggestion can be built up in two ways. First, children can be taught to rely on their own internal resources and not to depend on incessant stimulation from without. This is doubly important. Reliance on external stimulation is bad for the character. Moreover, such stimulation is the stuff with which propagandists bait their hooks, the jam in which dictators conceal their ideological pills. An individual who relies on external stimulations thereby exposes himself to the full force of whatever propaganda is being made in his neighbourhood. For a majority of people in the West, purposeless reading, purposeless listening in, purposeless looking at films have become addictions, psychological equivalents of alcoholism and morphinism. Things have come to such a pitch that there are many millions of men and women who suffer real distress if they are cut off for a few days or even a few hours from newspapers, radio music, moving pictures. Like the addict to a drug, they have to indulge their vice, not because the indulgence gives them any real pleasure, but because unless they indulge, they feel painfully subnormal and incomplete. Even by intelligent people, it is now taken for granted that such psychological additions are inevitable and even desirable, that there is nothing to be alarmed at in the fact that the majority of civilized men and women are now incapable of living on their own spiritual resources, but have become abjectly dependent on incessant stimulation from without.

How can children be taught to rely upon their own spiritual resources and resist the temptation to become reading-addicts, hearing addicts, seeing-addicts? First of all, they can be taught how to entertain themselves by making things, by plying musical instruments, by proposeful study, by scientific observation, by the practice of some art, and so on. But such education of the hand and the intellect is not enough. Psychology has its Gresham's Law ; its bad money drives out the good. Most people tend to perform the actions that require least effort, to think the thoughts that are easiest, to feel the emotions that are most vulgarly commonplace, to give rein to the desires that are most nearly animals. And they will tend to do this even if they possess the knowledge and skill to do otherwise. Along with the necessary knowledge and skill must be given the will to use them, even under the pressure of incessant temptation to take the line of least resistance and become an addict to psychological drugs. Most people will not wish to resist these temptations unless they have a coherent philosophy of life, which makes it reasonable and right for them to do so.

The other method of heightening resistance to suggestion is purely intellectual and consists in training young people to subject the diverse devices of the propagandists to critical analysis. The first thing that educators must do is to analyze the words currently used in newspapers, on platforms by preachers and broadcasters. What, for example, does the word "nation" mean? To what extent are speakers and writers justified in talking of a nation as a person? Who precisely is the "she" of whom people speak when discussing a nation's foreign politics? ("Britain is an imperial power. She must defend her Empire.") In what sense can a nation be described as having a will or national interest? Are these interests and will be interests and will of the entire population or of the majority? Or of a ruling caste and a few professional politicians? In what way, if any, does "the state" differ from Messrs. Smith, Brown,

Jones, and the other gentlemen who happen for the moment to have secured political power? Given the character of Brown, Jones, etc. why should "the state" be regarded as an institution worthy of almost religious respect?

1945

Write a precis of the passage below in about one-fifth of its length. Before doing so you are advised to read the passage carefully, noting those points which you consider to be most important. Mark off every ten words in your answer, and at the bottom state the number of words which it contains. Your answer should be framed in good flowing English and not in telegraphic style.

War is not one of the complicated economic, financial or judicial public institutions that are in a mess because they are mismanaged by political amateurs who do not understand them. Every-body understands war only too well; for it is a primitive blood sport that gratifies human pugnacity. Successful players at it earn fame enough to satisfy the maddest human ambition. I enjoy civil celebrity; but as I have never killed any body in a violent manner I am hopelessly outshone by warriors who have hundreds of thousands of violent deaths to their credit. Napoleon was a contemporary of Kant, Goethe, Mozart, and Beethoven. Compare their tombs, and you will get an aesthetic measure of how much more we admire a great soldier than a great philosopher, poet or composer. Adolf Hitler, when, having decimated Poland and demolished half Warsaw, he drove the British army out of France into the sea and the Red Army out of the Baltic provinces and back to the Don, was lord of half Europe whilst Einstein was an exile, with a much smaller income than a baseball champion. We speak of war gods, but not of mathematician gods, poet or painter gods, or inventor gods. Nobody has ever called me a god; I am at best a sage. We worship all the conquerors but have only one Prince of Peace, who was horribly

put to death, and, if he lived today in these islands, would have some difficulty in getting exempted from military service as a conscientious objector, if indeed he did not catch the war infection and head the rush to enlist.

There is then no secret about all this, no misunderstanding. Though war is now so diabolical that modern belligerents have to protest that they are fighting in self-defence, and that every war is a war to end war and to save civilization, we go on killing one another and glorifying our successful commanders as before.

Such devilment is a trump card in the hands of pessimists ; but it is only another specimen of the time lag by which ancient moral valuations and the education proper to them become ingrained habits, and persist long after the facts have changed and reduced them to mischievous superstitions. The vogue of Napoleon and Alexander may trace its origin to the primitive tribes where no reputable women will marry a man unless he can produce trophies proving that he has slain at least four adult male foemen in single combat ; but neither Napoleon nor Alexander produced a scalp or scrotum to prove that he had ever killed an enemy in battle. They never brought home a slain mammoth or sabre-toothed tiger, nor even a wildboar, to their wives to cook for the family dinner. Indeed Napoleon, brave as he shewed himself in his early Italian campaigns, reproached himself for having behaved with downright poltroonery on his way to Elba disguised as a prisoner ; and in a political crisis he was so nervous that he lost his head and would probably have had it chopped off had he not been saved by the presence of mind of one of his brothers. Alexander got drunk and murdered his best friend ; but this is not why we admire him. But by ordering the deaths of a prodigious number of people the two achieved the utmost eminence attainable in human history.

When conquest becomes the road to glory and power, nations forget public welfare and strive for military hegemony, calling it the Balance of Power, but meaning an overbalance in their favour. Each sovereign state,

when it feel strong enough, claims to be the headquarters of a Chosen Race, under whose government all other states would be better off than under their own. In Germany this is explicitly discussed, reasoned, proclaimed, preached, and finally put to the test of war.

INDIAN ADMINISTRATIVE AND ALLIED SERVICES

1948-49

Make a precis of the following passag in about one-third of his length.

The war to end war must and will go on and ultimately I believe it will be victorious. But war cannot be conquered by those who are afraid of it ; and no great social ends can ever be achieved by those who are unable to act as members of their own society, utilizing when it is unavoidable the forms of expression, however gross or cruel, through which a social group does in fact operate as a society and not merely as a random collection of individuals.

This may seem illogical ; I do not care if it does. For if our first error was to approach war as a thing in itself, our second was to approach it as a purely rational issue. We demand of this horror that it must have a reason to justify it, quite forgetting that almost no aspect of human life ever is reasonable. If governments are to lead their people into war, we said, they must do in the highest wisdom, in complete purity of motive and for ends not only early conceived but worth the sacrifice and when greed or cowardice or littleness appeared hear and there behind the lines we flamed with disgust and disillusion. The disgust was appropriate, the disillusion was native. Greed and littleness and unwisdom are the common-places of all existence ; no triumph of peace has ever been achieved without their presence, and while the effort to reduce them should be unrelenting, their existence should neither cause surprise nor be an excuse for defeatism.

The suffering, we said, must have a reason, and were exasperated when we could find none to assign to it. We forgot the amount of quite irrational suffering in all existence. There are disaster losses, bitter bereavements in peace-time life—completely aimless, unjust and no less difficult to bear than those imposed by war. The suffering of war is a great reason for trying to do away with war; but we will never do away with war by expecting it to be rational, and to say that it is not is no excuse for failing to fight it with its own weapons, the only weapons, as we have been taught, which gave any promise of success.

We are not rationalists discussing a problem in logic. We are men and women living social lives, utilizing for ends that seems good to us the instruments which society has developed. There is perfection nowhere, either in means or results, and there is suffering everywhere. But we know that no social life of any sort is possible unless it is informed by convictions—convictions which can never in the end be justified rationally, but convictions at least so strong that we are prepared, when there is no alternative, to fight and take the risk of dying for them. And we must be prepared to do this, not as the result of a bargain—I will risk my neck in an airplane if you guarantee that my children will live in peace, security, enlightenment and on a good income—but simply because we are partners in a common, social effort, and the thing has to be done if we are to do anything. I suggested before that perhaps the best of all reasons for enlisting is that everybody else is doing it; the reason that when there is a common job to be done we wish to have our part in its doing.

The American way of life has many faults and blemishes; it also has many things about it that one may hold up as worth fighting for and risking death for—its freedoms, its decencies, its strivings towards a better existence for greater numbers of its people, its efforts to utilize as the springs of its social and political system the highest rather than the basest, the most advanced

rather than the most primitive, instinctual drives in humanity. But great as these things are, and imminent, though the present threat to them may be, I still, do not think we can offer them as the sole, or even the primary, reason for again taking up the sword or again being prepared to do so. If our attitude is purely defensive, if we are merely sitting hoarding our liberties against threatened attack, those liberties are only too likely to atrophy anyway. If we try to make a bargain out of it, if we say to our countrymen, 'You must be ready to fight in order to preserve your freedom, in order to enjoy this or that benefit of a democratic as opposed to a totalitarian system, in order to safeguard the nation against invasion', we may always find that the reasons do not particularly appeal. Men's values inevitably differ, and in the last analysis are always irrational; beyond assessment by any form of cost accounting which such-and-such quantity of human or social advance. It is not, really, that kind of calculation at all. But suppose we say: 'You must be ready to fight; if you are that, if the society of which you are a part has that much cohesion, conviction and energy as a social whole, then perhaps you will have a chance to make good your freedom to avoid the crimes of totalitarian retrogression, really to preserve your nation and whatever of its values seem best to you from foreign invasion—and to do all these things probably with far less cost in life and suffering than if you confess your social organization to be a weak and spineless thing, a mere collection of individual selfishness.' Suppose we say that. I think we are much closer to the facts of both war and of social organization as a whole; I think we are much nearer to putting our hands upon the primary levers that operate the world we live in. We are then moving with, and not in puny revolt against, the main stream of human existence. We are not then merely kicking against the machinery which drives it; we are not, with the totalitarians, developing all the crudest, most primitive and most wasteful elements of that machinery in order easily to establish a barren power; but we are utilizing the basic mechanisms to

produce, in time, better machinery, better results, a better ultimate life.

We are doing our part. I have a feeling that it is worth doing for itself, and in that feeling the dilemma seems to me to disappear. If war can only be fought by making war upon it, then I am prepared to make war upon it. And I doubt whether any other great social end can be achieved unless one is ready at least to risk one's life, as an unit in the social mechanism, for its attainment. I have put all this in generalized, one might say philosophical, terms. It seems to me no less true if it is translated into the most rigidly practical ones. Given the existing world situation as of to-day, I do not know. I am sure, whether the United States can avoid war, death, destruction; whether it can maintain the essentials of liberal-democratic institutions, a reasonably free, full and prosperous life for its people or not. But it seems to me, as a purely practical calculation in politico-diplomatic probabilities, that the United States will have a far better chance of doing all these things, of utilizing its power to achieve maximum gains at minimum costs, if it can now rely upon a people who feel themselves one, who are ready to do any jobs that need doing, who are prepared in the last analysis to fight if need be and die if they must, who do not shudder in humanitarian horror over a small sacrifice of life if it offers any real and practical chance of averting much greater sacrifices, who have first of all the energy to act as a people, and after that the resolve to utilize the action toward great and not little ends.

1947

Make a precis of the following passage in about 250 words, using your own words as far as possible. Before doing so, you are advised to read the passage carefully, noting those points which you consider most important.

Mark off every ten words in your answer, and at the bottom state the number of words which it contains. Your answer should be framed in good flowing English and not in telegraphic style.

In looking at our age, I am struck, immediately, with one commanding characteristic, and that is, the tendency in all its movements to expansion, to diffusion, to universality. This tendency is directly opposed to the spirit of exclusiveness, restriction, narrowness, monopoly, which has prevailed in past ages. Human action is now freer, more unconfined. All goods, advantages, helps, are more open to all. The privileged petted individual is becoming less, and the human race are becoming more. The multitude is rising from the dust. We are looking, as never before, through the disguises, envelopments of rank and classes, to the common nature which is below them. The grand idea of humanity of the importance of man as man, is spreading silently, but surely. A consciousness of it is gradually seizing on the public mind. Even the most abject portions of society are visited by some dreams of a better condition for which they were designed. The grand doctrine, that every human being should have the means of self-culture, of progress in knowledge and virtue, of health, comfort and happiness, of exercising the powers and affections of a man; this is slowly taking place as the highest social truth. That the world was made for all and not for a few; that society is to care for all; that no human being should perish but through his own fault; that the great end of human government is to spread a shield over the rights of all; these propositions are growing into axioms, and the spirit of them is coming forth in all the departments of life.

If we look at the various movements of our age, We shall see in them this tendency to universality and diffusion. Look, first, at science and literature. Where is science now; Locked up in a few Colleges, or royal societies, or inaccessible volumes. Are its experiments

mysteries for a few privileged eyes? Are its portals guarded by a dark phraseology, which, to the multitude, is a foreign tongue? No; science has now left her retreats, her shades, her selected company of votaries, and with familiar tone begun the work of instructing the race. Through the press, discoveries and theories, once the monopoly of philosophers, have become the property of the multitude. Its professors heard, not long ago, in the university or some narrow school, now speak in the mechanics institute. The doctrine that labourer should understand the principles of his art, should be able to explain the laws and processes which he turns to account; that instead of working as a machine, he should join intelligence to his toil is no longer listened to as a dream. Science, one of the greatest of distinctions, is becoming popular. The school books of our children contain grand views of creation.

Institutions spring up in almost every village, for the purpose, of mutual aid in the study of natural science. The characteristic of our age, then, is not the improvement of science, rapid as this is, so much as its extensions to all men.

The same characteristic will appear, if we inquire into the use now made of science. Is it simply a matter of speculation, a topic of discourse, an employment of the intellect? In this case, the multitude, with all their means of instruction, would find in it only a hurried gratification. But one of the distinctions of our time is that science has passed from speculation into life. Indeed, it is not pursued enough for its intellectual and contemplated uses. It is sought as a mighty power, by which nature is not merely to be opened to thought, but to be subjected to our needs. It is conferring on us that dominion over earth, sea, and air, which was prophesied in the first command given to man by his mark; and this dominion is now employed, not to exalt a few, but to multiply the comforts and ornaments of life for the multitude of men. Science has become an inexhaustible mechanician; and by her forges, and mills, and steam

cars, and printers presses, is bestowing on millions not only comfort, but luxuries which were once the distinction of the few.

I have hitherto spoken of science, and what is true of science is still more true of literature. Books are now placed within reach of all. Works once too costly except for the opulent are now to be found on the labourer's shelf. Genius sends its light into cottages. The great names of literature are becoming household words among the crowd. We may lament, and too justly, the small comparative benefit as yet achieved by this agency : but this ought not to surprise or discourage us. In our present stage of improvement, books of little worth, deficient in taste and judgment, and ministering to men's prejudices and passions, will almost certainly be circulated too freely. Men are never very wise and select in the exercise of a new power. Mistake, error, is the discipline through which we advance. It is an undoubted fact that silently books of a higher order are taking the place of the worthless. Happily, the instability of the human mind works sometimes for good as well as evil : men grow tired at length even of amusements. Works of fiction cease to interest them, and they turn from novels to books, which, having their origin in deep principles of our nature, retain their holds of the human mind for aye. At any rate, we see in the present diffusion of literature the tendency to universality of which I have spoken.

But the most striking feature of our times, and showing its tendency to universality, is the unparalleled and constantly accelerated diffusion of education. This greatest of arts, as yet little understood, is making sure progress, because its principles are more and more sought in the common nature of man ; and the great truth is spreading that every man has a right to its aid. Accordingly, education is becoming the work of the nations. Even in the despotic governments of Europe, schools are open for every child without distinction and not only the elements of reading and writing, but music and

drawing are taught, and a foundation is laid for future progress in history, geography, and physical science. The greatest minds are at work on popular education. The revenues of states are applied most liberally, not to the universities for the few, but to the common schools. Undoubtedly much remains to be done, especially a new rank in society is to be given to the teacher; but even in this respect revolution has commenced, and we are beginning to look on the guides of the young as the chief benefactors of mankind.

Thus we see, in the intellectual movements of our kinds, the tendency to expansion, to universality; and this must continue. It is not an accident, or an explicable result, or a violence on nature; it is founded on eternal truth. Every mind was made for growth, for knowledge; and its nature is sinned against when it is doomed to ignorance. The divine gift of intelligence was bestowed for higher uses than bodily labour, than to make hewers of wood, drawers of water, ploughmen or servants. Every being, so gifted, is intended to acquaint himself with God and His works, and to perform wisely and disinterestedly the duties of life. Accordingly, when we see the multitude of men beginning, to thirst for knowledge, for intellectual action, for something more than animal life, we see the great design of nature about to be accomplished; and society, having received this impulse, will never rest till it shall have taken such a form as will place within every man's reach the means of intellectual culture. This is the revolution to which we are tending: and without this all outward political changes would be children's play leaving the great work of society yet to be done.

OCTOBER 1949

Make a precis of the following passage in about a third of its length:—

Two opposite and at first sight, conflicting merits belong to science as against literature and art. The

one, which is not inherently necessary, but is certainly true at the present day, is hopefulness as to the future of human achievement, and in particular as to the useful work that may be accomplished by any intelligent student. This merit, and the cheerful outlook which it engenders prevent what might otherwise be the depressing effect of another aspect of science, to my mind also a merit, and perhaps its greatest merit—I mean the irrelevance of human passions and of the whole subjective apparatus where scientific truth is concerned. Each of these reasons for preferring the study of science requires some amplification. Let us begin with the first.

In the study of literature or art our attention is perpetually riveted upon the past; the men of Greece or of the Renaissance did better than any men do now; the triumphs of the former ages, so far from facilitating fresh triumphs in our own age, actually increase the difficulty of fresh triumphs by rendering originality harder of attainment; not only is artistic achievement not cumulative, but it seems even to depend upon a certain freshness and *naïveté* of impulse and vision which civilization tends to destroy. Hence comes, to those who have been nourished on the literary and artistic productions of former ages, a certain peevishness and undue fastidiousness towards the present, from which there seems no escape into the deliberate vandalism which ignores tradition and in the search after originality achieves only the eccentric. But in such vandalism there is none of the simplicity and spontaneity out of which great art springs, theory is still the canker in its core, and insincerity destroys the advantages of a merely pretended ignorance.

The despair thus arising from an education which suggests no pre-eminent mental activity except that of artistic creation is wholly absent from an education which gives the knowledge of scientific method. The discovery of scientific method, except in pure mathematics, is a thing of yesterday; speaking broadly, we may say that it dates from Galileo. Yet already it has transformed

the world, and its success proceeds with ever-accelerating velocity. In science men have discovered an activity of the very highest value in which they are no longer, as in art, dependent for progress upon the appearance of continually greater genius, for in science the successors stand upon the shoulders of their predecessors; where one man of supreme genius has invented a method, a thousand lesser men can apply it. No transcendent ability is required in order to make useful discoveries in science; the edifice of science needs its masons, bricklayers, and common labourers as well as its foremen, master-builders, and architects. In art nothing worth doing can be done without genius; in science even a very moderate capacity can contribute to a supreme achievement.

In science the man of real genius is the man who invents a new method. The notable discoveries are often made by his successors, who can apply the method with fresh vigour, unimpaired by the previous labour of perfecting it; but the mental calibre of the thought required for their work, however brilliant, is not so great as that required by the first inventor of the method. There are in science immense numbers of different methods, appropriate to different classes of problems; but over and above them all there is something not easily definable which may be called the method of science. It was formerly customary to identify this with the inductive method, and to associate it with the name of Bacon. But the true inductive method was not discovered by Bacon, and the true method of science is something which includes deduction as much as induction, logic and mathematic as much as botany and geology. I shall not attempt the difficult task of stating what the scientific method is, but I will try to indicate the temper of mind out of which the scientific method grows, which is the second of the two merits that were mentioned above as belonging to a scientific education.

The kernel of the scientific outlook is a thing so simple, so obvious, so seemingly trivial, that the mention of

it may almost excite derision. The kernal of the scientific outlook is the refusal to regard our own desires, tastes and interests as affording a key to the understanding of the world. Stated thus baldly, this may seem no more than a trite truism. But to remember it consistently in matters arousing our passionate partisanship is by no means easy, especially where the available evidence is uncertain and inconclusive. A few illustrations will make this clear.

Artistotle, I understand, considered that the stars must move in circle because the circle is the most perfect curve. In the absence of evidence to the contrary, he allowed himself to decide a question of fact by an appeal to aesthetico-moral considerations. In such a case it is at once obvious to us that this appeal was unjustifiable. We know now how to ascertain as a fact the way in which the heavenly bodies move, and we know that they do not move in circles, or even in accurate ellipses, or in any other kind of simply describable curve. This may be painful to a certain hankering after simplicity of pattern in the universe, but we know that in astronomy such feelings are irrelevant. Easy as this knowledge seems now, we owe it to the courage and insight of the first inventors of scientific method, and more especially to Galileo.

We may take as another illustration Malthus's doctrine of population. This illustration is all the better for the fact that his actual doctrine is now known to be largely erroneous. It is not his conclusions that are valuable, but the temper and method of his inquiry. As everyone knows, it was to him that Darwin owed an essential part of his theory of natural selection, and this was only possible because Malthus's outlook was truly scientific. His great merit lies in considering man not as the object of praise or blame, but as a part of nature, a thing with a certain characteristic behaviour from which certain consequences must follow. If the behaviour is not quite what Malthus supposed, if the consequences are not quite

what he inferred, that may falsify his conclusions, but does not impair the value of his method.

MINISTERIAL SERVICE (B Grade)

1945

Make a precis of the following passage. The length of the precis should not exceed about one-third of the length of the original. Your precis should be in normal English, and you should clearly indicate at the end of the precis the number of words in your answer.

Of all the cities of remote celebrity whose names have been perpetuated by history, for literature, for arts and arms, for virtue and for depravity, there is none which abounds in so many beautiful and sublime architectural evidences of former greatness as Rome. On its present comparatively small site, it has remains of almost every useful or ornamental structure. The spectator of reflection, feeling, and taste, inhales an almost breathless surprise, amidst its once useful aqueducts, triumphal arches, pleasure-crowded theatres, its temples, pillars, pavements, health-giving baths, and 'gorgeous palaces'. Of these perhaps none are so creative of pleasure to the imagination or of moral reflection as the Amphitheatre begun by Vespasian and finished by Titus in the first century, and called by the Romans the Flavian, or Vespasian's Amphitheatre, and by the modern Italians, Colisei, from its vastness. It was erected from the materials of Nero's Golden Palace, an object prodigious and splendid, but of disgust to the Roman people, and therefore destroyed by Vespasian. The awe with which we view its immense oval length and height is tempered by the varied beauty of the whole and its particular parts, by the graceful orders rising on each other, with Corinthian pilasters and an attic, by the numerous arched statues, windows and steps. We feel the profound silence and solitary aspect of its numerous and untrodden ambulatories, its immense and desert arena, where myraids of

unfortunate captives and slaves, and of martyrs to an unshaken faith, have for many successive centuries amused the thousands of spectators who occupied the surrounding seats, and filled with horrid shouts the reverberating walls during the intervals of the groans of the dying gladiator, or the cries of wounded and ferocious animals. This great and sanguinary portal to the next world, this honour and disgrace of Rome, this theatre of cruel and vulgar joy, of anguish, of terror, of wasted courage and despair, this defaced but still legible epitaph of great and guilty Rome, stands in its immensity and decay that has come out of the conflict of ages and of nations like an aged and venerable veteran, who having himself survived dangers and witnessed innumerable deaths is mutilated and scarred.

1944

Make a precis of the following passage. The length of the precis should not exceed about one-third of the length of the original. Before doing so, you are advised to read the passage carefully, noting those points which you consider to be the most important. Mark off every ten words in your answer, and at the bottom state the number of words which it contains. Your answer should be framed in good flowing English and not in telegraphic style.

If we go back to the origins of western civilization we find what it has derived from Egypt and Babylonia is, in the main, characteristic of all civilizations and not specially distinctive of the west. The distinctive western character begins with the Greeks, who invented the habit of deductive reasoning and the science of geometry. Their other merits were either not distinctive or lost in the Dark Ages. In literature and art they may have been supreme, but they did not differ very profoundly from various other ancient nations. In experimental science they produced a few men, notably Archimedes, who anticipated modern methods, but these men

did not succeed in establishing a school or a tradition. The one prominent distinctive contribution of the Greeks to civilization was deductive reasoning and pure mathematics.

The Greeks, however, were politically incompetent, and their contributions to civilization would probably have been lost but for the government capacity of the Romans. The Romans discovered how to carry on the government of a great empire by means of a civil service and a body of law. In previous empires everything had depended upon the vigour of the monarch but in the Roman Empire the emperor could be murdered by the Praetorian Guards and the empire put up to auction with very little disturbance of the governmental machine almost as little, in fact, as is now involved in a general election. The Roman seems to have invented the virtue of devotion to the impersonal State as opposed to loyalty to the person of the ruler. The Greeks, it is true, talked of patriotism, but their politicians were corrupt, and almost all of them at some period of their career accepted bribes from Persia. The Roman conception of devotion to the State has been an essential element in the production of stable government in the West.

One thing more was necessary to complete Western civilization as it existed before modern times and that was the peculiar relation between government and religion which came through Christianity. Christianity was originally quite non-political, since it grew up in the Roman Empire as a consolation to those who had lost national and personal liberty; and it took over from Judaism an attitude of moral condemnation towards the rulers of the world. In the years before Constantine, Christianity developed an organization to which the Christian owed a loyalty even greater than that which he owed to the state. When Rome fell, the Church preserved in a singular synthesis what had proved most vital in the civilizations of the Jews, the Greeks and the Romans. From Jewish moral fervour came the ethic

precepts of Christianity; from the Greek love of deductive reasoning came theology; from the example of Roman imperialism and jurisprudence came the centralized government of the church and the body of Canon Law.

ANSWERS.

MILITARY WING

1949.

DEVELOPMENT OF AVIATION.

The first flight made by man took place in 1763 when balloons filled with hot air sailed up in air. Later in 1783, Rozier flew in a basket tied to the balloon. A year later, arrangement was made to bring down the balloon at the passengers wish by emptying it of air. In 1785, a flight was made across the English Channel. Then balloons were used but not for regular journeys because they were dangerous through not being under full control. It was in 1851, that a balloon was driven by a steam power with fair results. Improvements were made in stages. Towards the end of the century the balloons were filled with hydrogen; then fitted with newly invented light petrol-engines and subsequently made stronger by fixing a framework of light metal. During the last quarter of the 19th century, experiments were made with the kind of flying known as "gliding". It is this gliding which led to the invention of aeroplanes. There were planned lighter engines and shape and slope of wings were also changed. Great progress was made during the war of 1914-1918. Since then wonderful improvements have been made. It was in 1919 that a regular aeroplane service across the English Channel was started and after that airways joined Europe and the U.S.A.

ROYAL INDIAN NAVY, 1949.**FUTURE SOURCE OF ELECTRICITY.**

The idea that electricity is only a form of energy has led to various inventions. These inventions have revolutionized modern world and are playing an important part in every sphere of life. They have become so common and numerous that people do not wonder at them. Reserches are proceeding so rapidly that the applications of electricity may reach any point of perfection but the vital point for consideration is the future source from which electric energy may be cheaply transformed. Coal and water power, the present sources, are not only inaccessible and limited at most places but also expensive. This has led investigators to look upon some as the future source of machanical energy but the question before them is how to store it.

1948**A RAILWAY PASSENGER'S CHOICE.**

As soon as a train stops at a railway station passengers run to chose a compartment. The choice depends in some cases on comfort and in others on a vacant seat. Where these are equal the qualities of the co-passengers is an attraction. Satisfaction of personal tastes is also a factor. Babies, invalids and boys are avoided. A player of chess selects where he can satisfy his desire. A newspaper reader looks for papers. A talkative person goes for an idler. A sleepy passenger searches for a tolerant and a person who wishes to study human nature likes to be in a mixed company.

1946**MILITARY SERVICE AND NON-VIOLENCE.**

Some people do not enter into military service not because war is sinful but on account of their aversion

from the taking of human life. This instinct is so deep in them that they would prefer death to killing a germ of any disease. Such sentiments are humane, honourable and the sign of civilization. A person entertaining them is decidedly better than a politician who prefers war to peace. This regard for life is not only an essential part of private morality but also an ethical foundation of a civilized state. These feelings do not stand in the way of military service. On the other hand they support the idea of undertaking it. To hate killing and yet be prepared to fight in a just cause is the height of morality and heroism to which no act of sacrifice and self-discipline rises.

JOINT SERVICES WING AUGUST 1949

GENIUS ARE NOT ALWAYS GOOD STUDENTS

It is said that brilliant boys at school do not make the greatest figures in the world. The reason is that things taught at a school do not tap the highest faculties of mind. Only memory is called into play. The boy who can just retain what is pointed out to him or can memorise what is imposed upon him, makes the most forward school boy even though without sagacity to distinguish or spirits to enjoy. To teach that which has no meaning, no interest to the student is greater stupidity still. So the best capacities remain neglected and the men of the greatest genius, therefore, have not distinguished at school or at the university.

MAY 1949

A PLEA FOR CRICKET

Cricket stands above all games for its happy memories and gracious and kindly atmosphere. Once loved and played, one loves it for ever. A man with

cricket in his soul, despite his weaknesses, is always loved. Even a wrangle on cricket has no bitterness about it. One can earnestly defend any bowler who has a sense for cricket. Bradman, with a grace of action, an instinct for the weak spot of his opponent, a sense of fitting the action to the moment and a gallant spirit, is a naturally gifted all-round-cricketer ever seen. It is really the man who brings the spirit of adventure in the game. He plays it with hearty joyousness for which he is so loved and appreciated.

JANUARY 1949

MY PREJUDICES

Like most of the people the author believes and approves of inequality. He likes a properly classified society in which everyone knows his place without pretending to be equal to the other. He would pay his respects to the Queen and so are his inferiors to do before him.

In America they keep on comparing every one on an equal basis, which he considers to be bad in manners. And in a democratic society, due to the repudiation of class distinctions, social relations become ruder. Moreover only a few people must govern and by widening the franchise, we try to make people equal only politically, while in other aspects we cannot. So the transfer of control from landlords to workmen would be no good.

His second prejudice is that the money earning traders with their unpolitical manners cannot govern efficiently. It is only independent gentlemen, brought up in a public life atmosphere who can run the state.

ASSISTANTS' GRADE, 1947

If intellectual freedom is to survive another war education will have to be so planned as to cultivate

the habit of resistance to suggestion which are being increasingly used by propagandists to sugar-coat their ideological pills.

This can be done firstly by equipping the younger generation with the power to resist external stimuli, reliance on which undermines character. The habit of purposeless reading, seeing of films and listening to radio, more in the nature of addiction, is not due to the pleasure it gives but to lack of strength resulting from spiritual vacuum. Only when the new generation is equipped to depend on its own spiritual resources and is able to live in creative way, will it be able to resist these commonplace addiction? They should not only be imparted the necessary knowledge and skill but also a coherent philosophy of life so that they have the necessary strength to use them, even under the incoherent pressure of easy amusements and psychological addictions.

Secondly the new generation should be trained to analyse all suggestions critically to find the exact meanings of the words currently used by propagandists such as the 'nation' and the 'state.' For whom does the word nation stand for? How does the character of 'state' differ from those who wield power and demand reverence to the 'state.'

1945

WAR AND ITS GREAT MEN

Everyone quite understands war. The successful warriors have ever become famous and out-do those with civil celebrity. A great soldier is better than a great philosopher, poet or composer. Napoleon and Hitler would serve as good examples. Even Christ would find it difficult to discover his place in the present war-ridden world. War to end war or in self-defence, is at best still a war. Ancient moral values and

education require a renewal to deal effectively with the present world. Napoleon and Alexander however weak in many respects are admired simply because of their military eminence. To-day nations follow the same path to come to the forefront as clearly evidenced in Germany's desire for world rule.

INDIAN ADMINISTRATIVE & ALLIED SERVICES

1947

The ancient and medieval periods of human history were marked by exclusiveness, restriction, narrowness and monopoly. The privileged petted individual held sway over all. The multitude was down trodden, and a majority of men in all countries belonged to the class of hewers of wood, drawers of water, ploughmen and servants. Then science revolutionized life, and human activities expanded in all directions. "Expansion, diffusion, and universality" became the most important characteristics of human progress. The right of every individual to a full growth of life was recognized by all. It came to be increasingly realized that world was made for all and not for a few.

In Science and Literature, this tendency to universality and diffusion is most noticeable. Science is no longer the monopoly of a few, it has stretched its arm of protection to all and sundry. Discoveries and theories, which were the monopoly of a few corteries in past, are today the property of vast crowd of people. The press has made the schoolmaster go abroad, and it is in the fitness of things that each labourer should understand the principle of his craft. The extension of science to all men, seems to lie ideal before mankind.

Science is no longer a matter of intellectual gymnastic exercises but it is rapidly becoming a part and parcel of our daily lives. The biblical prophecy of

man being the overlord of all creation, is being fast realised. The same is true of literature, and the treasures of the past, have been placed at the disposal of the common man. There is no doubt that this diffusion of literature has commercialized human intellect. Ephemeral books are much in demand but people are increasingly getting interested in past masters of classicism.

The spread of education has accelerated and millions of men are looking, into new avenues of progress with confidence. Thus man is turning to a higher ideal of life, and the subjugation of man by man is looked down upon by all right-thinking men.

1948

Left as an exercise for the reader.

1949

Left as an exercise for the reader.

MINISTERIAL SERVICE (B GRADE)

1945

THE AMPHITHEATRE.

The writer says that of all the famous cities renowned for various reasons, Rome stands out for its architectural excellence, evidenced in its useful or ornamental structures. A visitor with an aesthetic taste would simply be pleasantly surprised. The Amphitheatre now known as Colisci, which was built at the cost of Nero's Palace has a pleasurable appeal to one's imagination and makes one think high. It would strike one with its length and height as well as by its varied beauty as a whole and in detail. One is

reminded of the history of its past, of its arena and what it meant to those within and those without. The Amphitheatre is symbolic of great and guilty Rome. The passage of time, with its conflict of nations and of ages, has left its marks on it, leaving it mutilated and scarred.

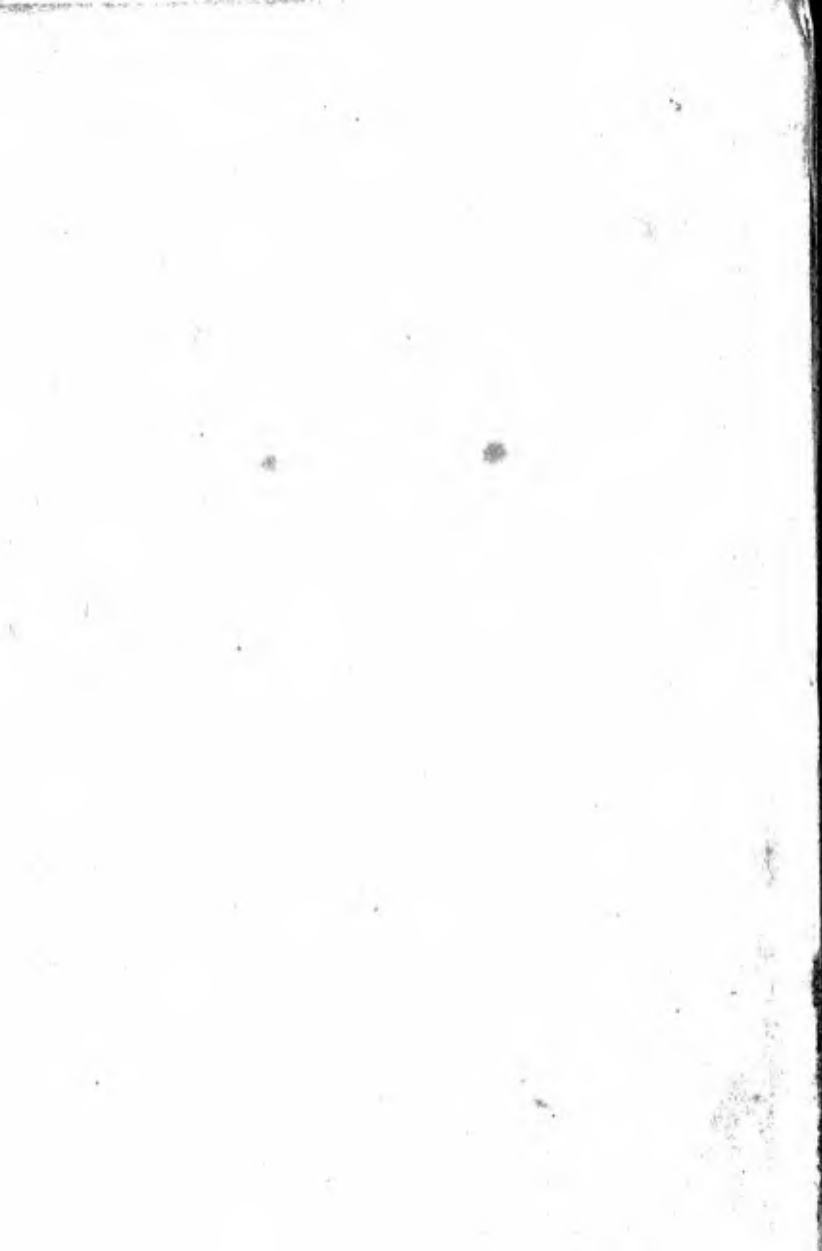
1944

WESTERN CIVILISATION

Like other civilisations, Western Civilisation is indebted to Egypt and Babilonia, but its distinctive marks were deductive reasoning and pure Mathematics, which were contributed by the Greeks, though Western Civilisation was also well advanced in literature and art as well as in experimental science. It owes much to the Romans who discovered Government machinery based on civil service and a body of law in contrast to the Government incapacity of the Greeks. The Romans were devoted to the impersonal state rather than to the person of the ruler and this brought about stability in Western Governments. Another factor which completed Western Civilisation before the modern times was the relationship between the Government and the religion brought about by Christianity.







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